

**Renewing Renewal:
Community Involvement in Redevelopment After the Expiration of Urban Renewal Plans**

A Thesis Presented to the Faculty of Architecture, Planning and Preservation
COLUMBIA UNIVERSITY

In Partial Fulfillment
of the Requirements for the Degree
Master of Science in Urban Planning

by

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May 2020

Abstract

Communities impacted by urban renewal in the mid-twentieth century were largely unable to stop the changes brought to their neighborhoods. The plans that operationalized urban renewal remained in place for over 40 years, with significant legislative, legal, and financial effort required to make any alterations. In New York City, many of the urban renewal areas and their governing plans have since expired, ushering in market-driven development and neighborhood changes. This thesis uses a mixed-methods approach to analyze the subsequent built environment changes and to explore community involvement through case studies of redevelopment in the former Seward Park Extension Urban Renewal Area (SPEURA) and Two Bridges Urban Renewal Area (TBURA). While many lots remain unchanged since the urban renewal era, those that have changed reflect local development preferences or the results of major rezonings. The case studies reveal the wide variety of methods of community involvement in site redevelopment, with implications for future participation in redevelopment in the city.

Key words: urban renewal, participation, Two Bridges, Essex Crossing, Large-Scale Developments

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List of Abbreviations

BP Borough President

CB Community Board

CC City Council

CEQR City Environmental Quality Review

CPC New York City Planning Commission

DCP New York City Department of City Planning

DLMA Downtown-Lower Manhattan Association

HPD New York City Department of Housing Preservation and Development

FOIL Freedom of Information Law

LSD Large-Scale Development

LSGD Large-Scale General Development

LSRD Large-Scale Residential Development

NYCEDC New York City Economic Development Corporation

NYCHA New York City Housing Authority

ULURP Uniform Land Use Review Procedure

URA Urban Renewal Area

URP Urban Renewal Plan

SPEURA Seward Park Extension Urban Renewal Area

SPURA Seward Park Urban Renewal Area

TBURA Two Bridges Urban Renewal Area

Introduction

In late 2019, long-simmering tensions between community groups, the City, and real estate developers across New York City began to boil over. After one neighborhood rezoning was annulled by a New York Supreme Court judge, others were halted by Council Members or the mayor's administration. At the same time, community organizations won multiple significant and potentially groundbreaking lawsuits against major developments (Chen, 2020). Through the judicial system, community members have found viable new pathways to influence decision-making that affects their neighborhoods, with examples centering on equity, process, and transparency. These major milestones are not only linked by the ways in which communities made their voices heard, but also by the ways in which the developments came to be. Several of these major controversial large-scale developments are located in former urban renewal areas.

The founding tenets of urban renewal are rooted in political power reforms and introduction of tenement laws in the early twentieth century. These changes manifested in the clearance of existing tenement-style housing, with some buildings rebuilt as public housing through the New York City Housing Authority (NYCHA) (Zipp, 2013, pp. 370–371). Nationwide, major private development had largely not occurred in cities until the mid-1940s, until the development of Stuyvesant Town for Metropolitan Life, located on an inhabited neighborhood of tenements and industrial buildings along the East River in Manhattan (Zipp, 2013, p. 372). The next City-driven clearance and redevelopment project, the United Nations complex, built between 1946 and 1948, marked the beginnings of a formalized urban renewal process in New York (Zipp, 2010). While these early projects garnered significant backlash from communities, resident concerns

were not considered significant enough to halt or modify the projects, and the City Planning Commission approved the projects (Zipp, 2010).

Inspired by this large-scale change, the urban renewal program was adopted by the federal government in 1949 through Title I of the 1949 Housing Act, expanding states' abilities to form their own funded urban renewal agencies. Shortly thereafter, the State and the City of New York adopted their own renewal programs. In turn, New York City's Committee on Slum Clearance, under the direction of Robert Moses, privatized renewal by giving the titles of designated, occupied land to developers, who were then allowed to carry out clearance, eviction, and redevelopment of the lots (N. I. Fainstein & Fainstein, 1988, p. 165). After early criticisms of lack of participation in renewal projects, the federal government amended the Housing Act in 1954 to require public participation in government projects (Gordon et al., 2011, p. 506). Despite this, plurality in decision-making was "illusory" during the era of the Committee on Slum Clearance, with no influence from "ordinary communities or working class and minority groups", little influence from mayoral or corporate powers, with power concentrated solely in Moses' hands (N. I. Fainstein & Fainstein, 1988, p. 169). This lack of influence is underscored by what came to be termed as the "New York Method": developers proposed neighborhoods for urban renewal to the Committee on Slum Clearance, which then designated the area as "slums" and quickly passed their plans through the "rubber-stamp" legislative approvals processes (Winkler, 2017). During this time, most of the participation in government projects nationwide ranked low on Arnstein's ladder of meaningful participation, closer to informing rather than true citizen involvement (see Figure 1) (Arnstein, 1969; Gordon et al., 2011, p. 506). Published in direct

response to urban renewal and other federal city-building programs, Arnstein describes the lower, tokenistic levels of participation of informing and consultation as meetings where residents hear official statements, officials hear resident statements, but residents “lack the power to insure [sic] that their views will be *heeded* by the powerful” (Arnstein, 1969, p. 217).

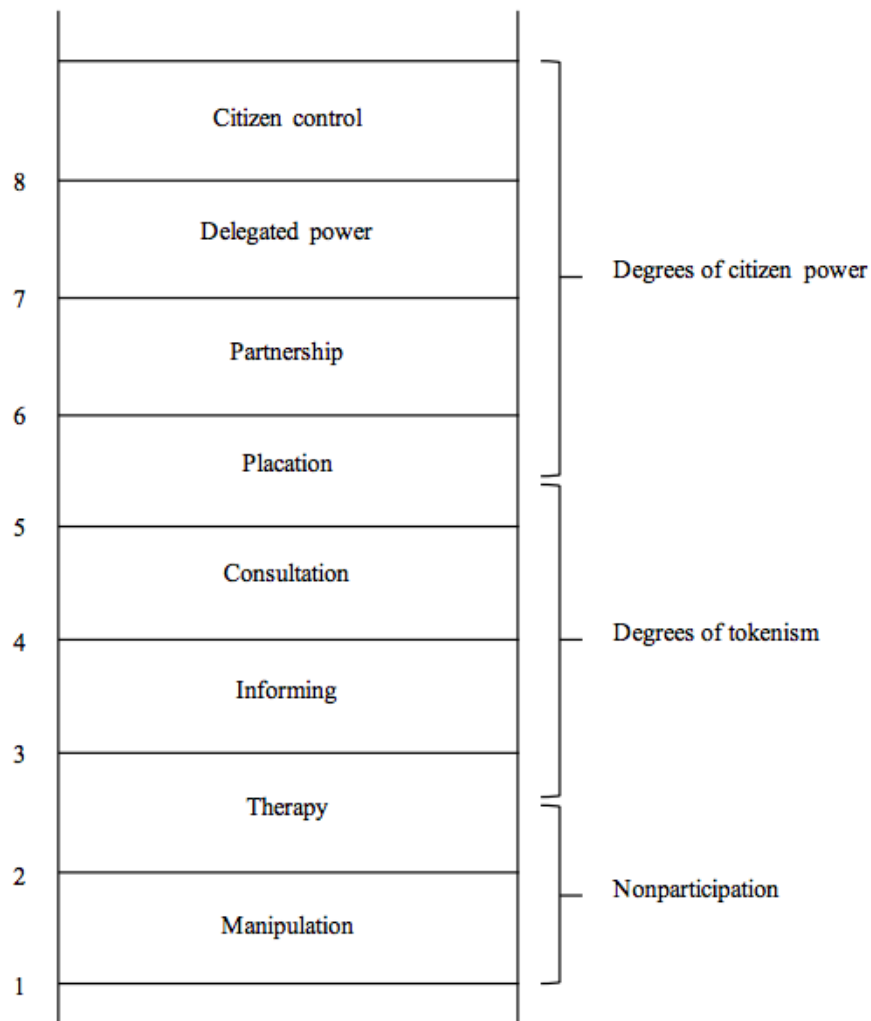


Figure 1: Eight Rungs on a Ladder of Citizen Participation (Arnstein, 1969).

In New York, reactions to the lack of power in participation in urban renewal are most remembered in the successful protests against the extension of Fifth Avenue through Washington Square Park. These protests inspired journalist Jane Jacobs to publish the venerated

Death and Life of Great American Cities (J. Jacobs, 1961). Importantly, this era is also exemplified by the unsuccessful protests of residents and their supporters against the destruction of a working-class neighborhood with a growing Puerto Rican population, clearing the way for Lincoln Center (Stein, 2019, p. 23; Zipp, 2010, pp. 197–252).

Interested in expanding its presence amidst growing criticism of Moses' level of control, the State began to take a stronger role in urban renewal and master-planning in the city. Through the Downtown-Lower Manhattan Association (DLMA), the State created a plan for Lower Manhattan in the 1960s. The plan focused on urban renewal projects along the East River, relocating markets on the West Side, creating the Lower Manhattan Expressway to separate commercial and manufacturing uses, and increasing the overall commercial floor area in Lower Manhattan (N. I. Fainstein & Fainstein, 1988, p. 176). Mayor Wagner's administration also supported the expansion of commercial space in Lower Manhattan and aided in carrying out projects according to the DLMA plan. While many urban renewal projects were completed during this period, residents, advocacy planners, and some City representatives formed coalitions to bring renewal projects for Cooper Square, the West Village, and the Lower Manhattan Expressway to a standstill (N. I. Fainstein & Fainstein, 1988, p. 176). In 1966, the newly elected Lindsay administration instituted regulatory changes to include the voices of the less affluent in local decision-making processes (N. I. Fainstein & Fainstein, 1988, p. 177). Expanding on a Wagner administration-version of today's Community Boards, the Lindsay administration restructured the Board appointment process and expanded the Boards' collaborative authority (Bass & Potter, 2004, pp. 287–289). The changes were solidified and

expanded in the 1975 City Charter revision to the Uniform Land Use Review Procedure (ULURP), which is still in place today (see Figure 16) (Bass & Potter, 2004, p. 290).

At the same time, in a shift toward more conservative governance, the federal government eliminated federal urban renewal and other related programs in the Housing and Community Development Act in 1974 and replaced them with Community Development Block Grants (CDBGs) and Section 8 housing vouchers (S. S. Fainstein, 2010, p. 251; Sutton, 2008, pp. 33–34). The Section 8 and CDBG programs did not achieve the same goals and were granted less overall funding than their predecessors. With these changes, coupled with less overall funding from the federal government, the methods of financing and producing new developments in cities nationwide were fundamentally altered (S. S. Fainstein, 2008; Sutton, 2008). In New York, the Committee on Slum Clearance created 18 urban renewal areas between 1949 and 1959, and other programs carried out 62 additional urban renewal projects until the elimination of the federal program in 1974 (596 Acres, 2015b; N. I. Fainstein & Fainstein, 1988, p. 166). Although federal funding for urban renewal ceased, many cities and states continue to use state and local urban renewal legislation to carry out smaller-scale renewal projects (see Figure 2: Urban Renewal Areas, by Adoption Year) (Soomro, 2019, p. 966).

As indicated by the development history of mid-twentieth century New York, the role of the planner is best understood in the context of public participation. The history of planning practice is critical to understanding why decisions were made, and by whom. Following the City Beautiful and Garden City movements favored in the late nineteenth and early twentieth centuries,

planning practice entered into the rational-comprehensive movement after World War II: planners were perceived as “rational”, or capable of making objective and informed decisions, largely because of their technical training and government-given authority. The perpetuated “myths of objectivity, value neutrality, and technical reason” (Sandercock, 2004, p. 134) and resulting decisions made in the spirit of urban renewal resulted in deep resident distrust of planning practice, and larger and more frequent protests occurred. Amid this distrust, the conceptualization of the role of the planner split into two factions: advocacy planning and incremental planning. Advocacy planners focused on urban renewal projects’ lack of consideration of the public, including the consideration of the public as composed of fragmented, multi-faceted identities and personalities. Incremental planners focused on the speed of urban renewal projects’ approvals and land clearance, citing this as the main reason for the backlash (Stein, 2019, p. 24). Since this break in the conceptualization of the roles of planners came at the same time as the national shift to conservatism, incremental planning ultimately took hold as the prevailing planning movement (Stein, 2019, p. 24).

As the federal government became more scattered and privatized, the national economy shifted from primarily manufacturing to white-collar industries, and cities began to experience private investment again. With the change to a more corporate governance style and economy, the role of the planner shifted once again in the early 1990s to communicative planning. Communicative planners promoted newly embraced collaborative methods to make projects more “politically legitimate”, to “add[] value” to the land use actions proposed (Healey, 1998, p. 18). As much as the communicative planning movement reflected increasingly neoliberal governance models of

the time, the movement also defined stakeholders as those holding vested interests in projects, including the public, private, and non-profit sectors (Laurian, 2009, p. 376). With the formalization of deliberative democracy techniques in planning practice, the newly normalized discussions between stakeholders increased collaboration, consensus, and trust (Laurian, 2009, p. 381). However, these discussions continued to reflect the power imbalances inherently present in any decision-making structure (Laurian, 2009, p. 374).

As such, participation by itself cannot be understood as a theory, but rather as an evolutionary process based in practice, constructed through dialogue and dialectical relationships. The methods and outcomes of participation are constantly evolving, stemming from “decades of struggle of the meaning, content, and practice of participation” (McQuarrie, 2013, p. 170). However, formalized and formulated participation cannot be expected or relied upon without acknowledging that every city has different levels of trust in planners or preferred democratic participation methods, all scaffolded on generations of past planning practice. Existing systems are built “on institutions formed when the public was expected to passively trust professional experts to provide public goods and services” (Laurian, 2009, p. 385), or the era of rational planning and urban renewal. For the purposes of this paper, meaningful participation will be defined as “the expectation that citizens have a voice in policy choices” and the “sharing of power between the governed and the government” (Bishop & Davis, 2002, p. 15).

Participation, urban renewal, and participation in planning projects in general have had a complex, intertwined history, especially in New York. For scale, since 1949, 1.8 percent of the

land in New York City has been designated as a current or former urban renewal area (URA), equivalent to 4.25 Central Parks or 24 percent of Manhattan. The development of these areas was codified by urban renewal plans (URPs), which outlined land use actions, use changes, and laws and codes needed to create proposed changes (New York City Council, 2017). To institute the land use requirements, the author of the URP tied the requirements to the underlying lots through restrictive covenants, which are recorded in the land's deed. Most of these URPs and their related restrictive covenants dictated land use for 40 years (New York City Council, 2017), with some extending past 50 years (596 Acres, 2015b). Therefore, when the URPs expire, property owners are permitted to develop lots as-of-right, or according to the zoning regulations.

Governments excluded many residents from participating in decision-making in the original Urban Renewal Area designation. Complex, binding governing plans made change in these areas virtually impossible without significant legal and real estate aid. These plans stayed in place for an average of 40 years. Urban renewal drastically changed the built form of cities, created and exacerbated social strife, and ultimately embedded distrust in planning practices and governance in land use. After these regulating Urban Renewal Plans expired, has development taken place in former Urban Renewal Areas? Have residents been involved in making changes in these areas? This thesis will review changes in the built environment of Urban Renewal Areas since their plans' expiration and explore residential involvement in redevelopment using the former Seward Park Extension Urban Renewal Areas (SPEURA) and Two Bridges Urban Renewal Area (TBURA) as case studies.

Literature Review

While there is a significant amount of literature on development regimes in New York, there are few mentions of development in Urban Renewal Areas after the plans were created. The only work on Urban Renewal Areas and their redevelopment has been conducted by New York-based nonprofit and public sectors in the past two years.

In 2015, researchers at the nonprofit 596 Acres completed their review of Urban Renewal Areas in New York and published their findings as a web map, Urban Reviewer. Researchers submitted Freedom of Information Law (FOIL) requests, sifted through paper maps and plans held by the Department of Housing Preservation and Development, and digitized the plans (see Figure 2) (596 Acres, 2015a). As a result of their research, two lots, originally designated and deed restricted as public parkland, were claimed by the Department of Parks and Recreation and opened to the community as parks.

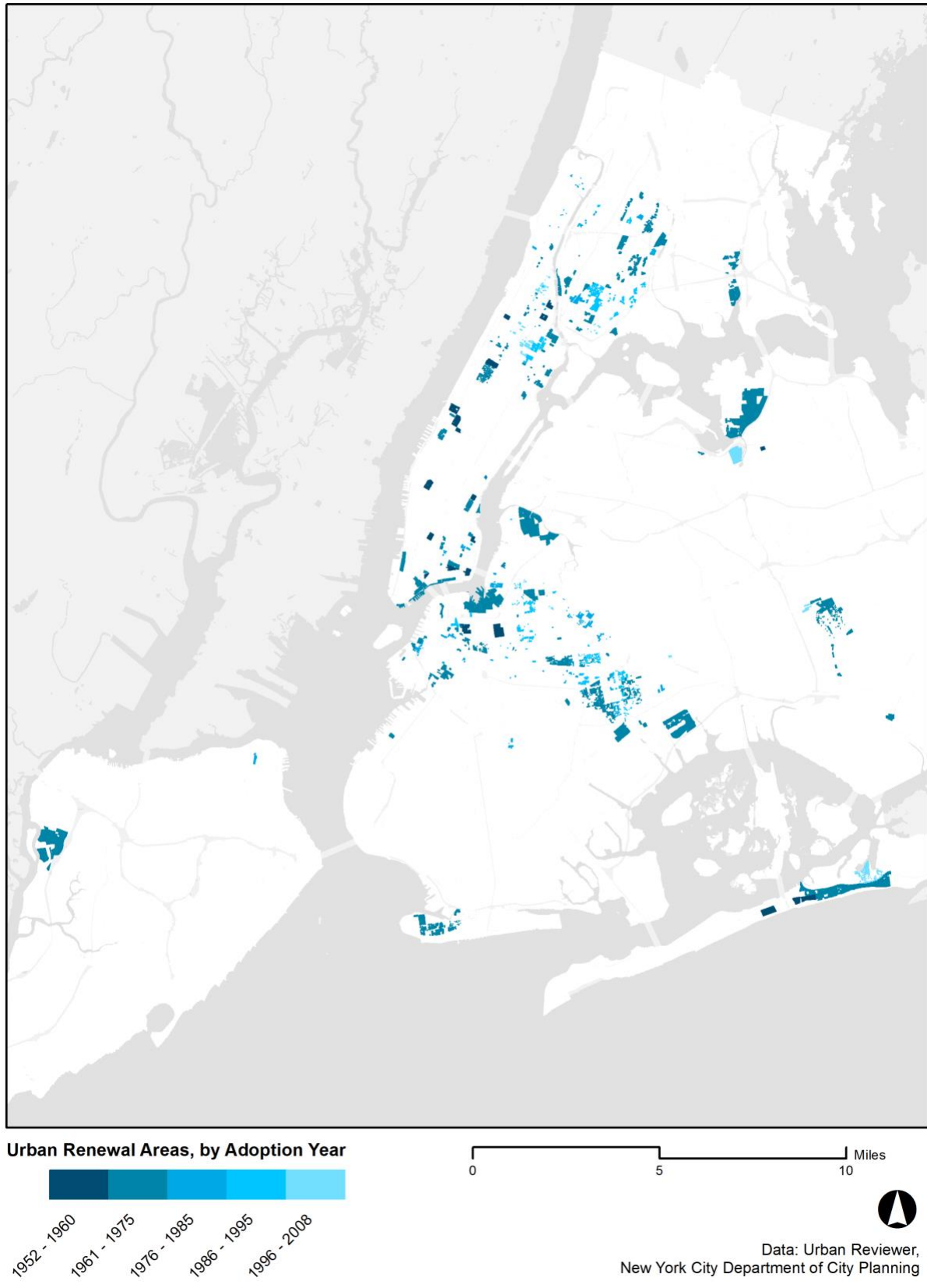


Figure 2: Urban Renewal Areas, by Adoption Year

Urban Reviewer also resulted in the passage of Local Law 40 in early 2018, a law that requires the City to publish and report on Urban Renewal Plans and Plan expirations. Local Law 40 is intended to democratize information about URAs, related special permits, and use restrictions by disclosing boundaries and updating the public representatives on the upcoming expiration of active plans (New York City Council, 2017; A Local Law to Amend the New York City Charter, in Relation to Publication and Reporting Requirements for Urban Renewal Plans, 2018). The law also requires the City to host an interactive web map of all URAs citywide, with links to the URPs, showing the general vicinity of the URAs, and including information on expiration dates (A Local Law to Amend the New York City Charter, in Relation to Publication and Reporting Requirements for Urban Renewal Plans, 2018; New York City Department of Housing Preservation and Development, n.d.).

However, Local Law 40 does not require the information sent to Borough Presidents, Council Members, and Community Boards to be released to the public (Soomro, 2019). This information could include potential developments, specific URA boundaries, and other statistics. To resolve this lack of transparency, amendments to the law have been suggested to conduct citywide engagement processes about the future of urban renewal, to notify residents sooner about URA expiration dates, to mandate annual reporting on development and changes in Urban Renewal Areas, to hold regular public hearings about current URA uses, to provide technical assistance in creating alternate plans, and to fund these hearings and technical assistance for communities (Soomro, 2019). With increased notice and the inclusion of residents in URA planning processes, residents in Melrose Commons in the South Bronx and Essex Crossing in the Lower East Side

were able to work with the City, developers, and planning consultants to create suitable alternatives for preferred development.

Shortly thereafter in July 2019, the Municipal Art Society (MAS), a New York-based planning and preservation advocacy organization, published research about the history and current uses of Large-Scale Development (LSD) special permits in connection with their work on the developments in Two Bridges (Municipal Art Society of New York, 2019). First codified in 1940, LSDs are similar to Planned Unit Developments (PUDs), commonly used in suburban communities to allow for flexible design of subdivisions. LSD permits are intended to be used to create alternate building massing and layouts other than traditional Euclidean zoning may allow, “without modifying underlying zoning” (Municipal Art Society of New York, 2019).

The histories of LSDs are intertwined with that of urban renewal: the creation of Stuyvesant Town relied on this special permit to build its Corbusian towers-in-the-park (Municipal Art Society of New York, 2019), and LSDs later “helped to facilitate” Urban Renewal Plans after 1949 (New York City Department of City Planning, 2015). In order to create the zoning allowances for the new buildings, Urban Renewal Areas extensively relied on LSDs to codify the flexible zoning sought by developers and architects, and the land uses desired by the City, and tie them to the underlying parcels through restrictive covenants (Marcus, 1992; New York City Planning Commission, 2019). These special permits can be sought and used in areas not in Urban Renewal Areas (Municipal Art Society of New York, 2019), but they continue to be the main mechanism

for building in expired Urban Renewal Areas due to flexibility in ownership requirements in §74-743 of the Zoning Resolution (1961).

While this research is informative for preparing for future Urban Renewal Plan expiration and legal frameworks associated with land use requirements, there is still a gap in research on completed development in expired Urban Renewal Areas. Ninety-six Urban Renewal Areas have already expired, with 30 of 54 currently active URAs set to expire within the next ten years. It is important to both prepare for future Urban Renewal Plan expiration and to understand past development, since past development trends and land use decisions are heavily dictated by the role of the City, the participation of nearby residents, and the influences of other players. This research endeavors to understand where development has taken place, types of land use change, and current ways residents participate in development.

Methodology

To identify changes over time in the built form of Urban Renewal Areas, open data on tax lots from the New York City Department of City Planning (2020a) and the public research of 596 Acres' Urban Reviewer, a database of Urban Renewal Areas in the city (596 Acres, 2015b), were used. Change metrics were determined using the parameters and available fields from the parcel layers from the Map Primary Land Use Tax Lot Output (MapPLUTO) dataset. Since 596 Acres dissolved in 2015, the Urban Reviewer data had not been updated. After verifying these URPs were not extended, the expired URAs were joined to the lot level by centroid. For each renewal area, lot attributes were recorded for the year the URP expired, five years after expiration, ten years after expiration, and in 2020. For example, for all lots in URAs that expired in 2002, lot-level data was recorded for 2002, 2007, 2012, and 2020. URAs without these milestones, such as those expired after 2015, were recorded with the data available. To compare these layers over time on the lot level, each lot was joined to each annual lot layer by centroid, since the City refined its tabular and spatial data over time and therefore had no common way to relate all layers. All data was manually reviewed and corrected to account for any resulting mismatches.

Of all expired Urban Renewal Areas, only Areas that expired between 2002 and 2019 inclusive, except 2008, were able to be studied in time series analysis. The City's MapPLUTO dataset, with data on all lots or parcels in the city, is only available for these years. As a result, the 15 URAs that expired in 2008 and 20 URAs that expired before 2002 were excluded from analysis due to lack of data. Some of these Urban Renewal Areas have experienced significant redevelopment or proposed development, including West Park (expired 1992) with the Columbus Square

development, Harlem (1992) and the controversial recent proposal for Lenox Terrace (Brewer, 2019), Seward Park (1992) and Essex Crossing, Columbus Circle (1993) with the Time Warner Center, Washington Square Southeast (1994) with NYU Core, Lincoln Square (1997) with Lincoln Center renovations, and five other URAs that expired in 2008 with at least one newly built residential apartment building.

For the years in which the data was available, selected metrics were studied as potential indicators of built environment change. These include a change in quantity of lots with vacant land uses, change in percentages of residential or commercial uses, change in building frontage coverage, change in land use classification, and the quantity of new buildings and majorly altered buildings. As indicated by the history of development in New York, mayoral administrations heavily influence the amount, preferred use, and potential development locations of new construction or major alterations, so indicators showing infill, building uses, building typologies, land uses, and major development are preferred.

These changes are reflected in two case studies, Essex Crossing, which was formerly Seward Park Extension Urban Renewal Area, and Two Bridges, an expired Urban Renewal Area of the same name. These two developments have been profiled extensively in the media over the last several years and are among the most high-profile of Urban Renewal Area changes, including Atlantic Yards, Brooklyn Navy Yard, and Lincoln Center. Using media reports, presentations, and legal proceedings, these two areas will be profiled for the changes that they have undergone or

proposed. In addition, the participation types or levels between these two areas will be reviewed.

Limitations

The data sources used, and the offered metadata, severely limited and directed the extent of this research. Since the City does not publicly release the precise boundaries of Urban Renewal Areas (New York City Department of Housing Preservation and Development, n.d.), Urban Reviewer was critical in understanding the extents, lots, and lot information that were manually recorded from records requests over two years (596 Acres, 2015a). In addition, the lack of public, precise URA boundaries makes it extremely difficult to gather potential deed restrictions or restrictive covenants to identify current restrictions of use. Even if the City's property record system, the Automated City Register Information System (ACRIS), were scraped for deed restriction data on the over 3,000 unique identifiers of lots in former Urban Renewal Areas, these restrictive covenants may not be available or may have been removed in prior land use actions. For example, deed restrictions still in place from an Urban Renewal Area that expired in 1994 were removed to facilitate New York University's NYU Core project in 2012 (Sutter, 2010).

There is also no publicly available data to locate Large-Scale Developments and further understand current deed restrictions. Information on Large-Scale Residential, General, and Community Facility Development boundaries (LSRD, LSGD, and LSCFD, respectively) and their creation dates was formally requested via Freedom of Information Law (FOIL). After two months,

the Department of City Planning forwarded a list of 474 City Planning Commission (CPC) reports in which LSRDs were created, but did not have or offer datasets on LSGDs or LSCFDs.

The City's MapPLUTO dataset was unreliable for cataloguing change of some fields, like ownership names or types, maximum allowable Floor Area Ratio (FAR), and median building ages, over time because of changing calculation methods and data sources. These fields were considered but ultimately not included in final analysis due to these inconsistencies. For example, though ownership type should remain relatively consistent over time for lots without any other land use changes, multiple lots changed ownership type from "private" to no data (New York City Department of City Planning, 2020b); though the metadata advocates for blank and private ownership types to be used interchangeably, they may not have been recorded this way in the MapPLUTO datasets of the early 2000s.

Lastly, the use of MapPLUTO datasets as proxies for zoning lot data is fundamentally flawed, since not all tax lots are mapped the same as the zoning lots. In one of the more recent cases brought by advocates against the City, the zoning lot is composed of lot area from several lots within the same block, used to construct a taller building than zoning for just the lot area itself would permit (Chen, 2020). However, to attempt to account for these differences, data was aggregated to the Urban Renewal Area level and values relating to zoning specifically, like buildable area and maximum allowable floor area, were not used.

Discussion of Research

Since change in the built environment cannot be measured with one metric, multiple indicators were used to identify varying aspects that signal visual, use, and form changes. These indicators include change in land uses, quantity of lots with vacant land uses, percentages of residential or commercial uses per lot, building frontage coverage on a lot, and quantity of new buildings or majorly altered buildings. In the 76 URAs that expired between 2002 and 2019, excluding 2008, the number of lots with each land use classification fluctuated between -5 percent and +6 percent, indicating changes consistent with a changing city. However, three categories experienced more drastic changes than their counterparts, with a 30 percent increase in land use type 8 (public facilities and institutions), a 29 percent decrease in type 7 (transportation and utility), and a 27 percent increase in type 4 (mixed residential and commercial buildings).

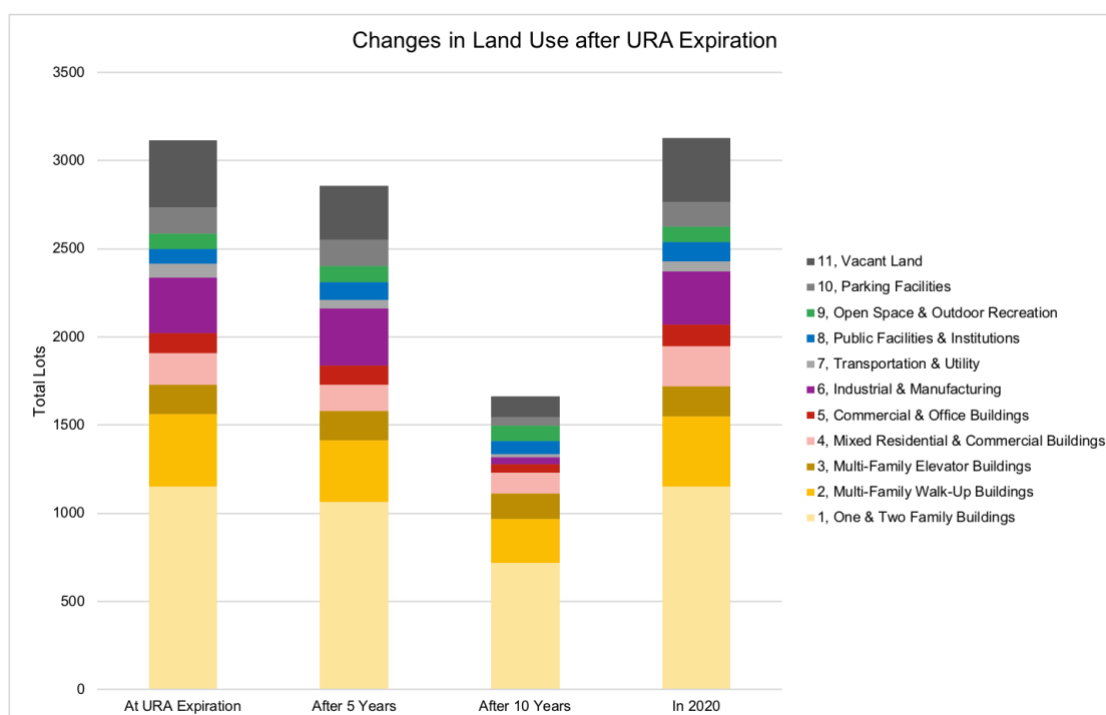


Figure 3: Land Use Change of Urban Renewal Areas Expired Between 2002-2019

Since 18 URAs expired between 2011 and 2015 and six expired between 2016 and 2019, the number of lots with change over all time periods significantly decreased. For the 37 URAs that expired between 2002 and 2010, excluding 2008, the greatest positive changes in land use between the URA expiration year and 2020 are public facilities and institutions (+37 percent), mixed residential and commercial (+29 percent), and open space (+19 percent). No change was recorded in land use categories 1 (single-family or duplexes) and 10 (parking), with relatively little change in multi-family elevator buildings (+0.7 percent), industrial and manufacturing (-2.4 percent), and multi-family walkups (-2.8 percent). With a 30 percent decrease, transportation and utility uses experienced the most significant reduction in frequency, followed by vacant uses with a 16 percent reduction and commercial and office uses with an 8 percent drop.

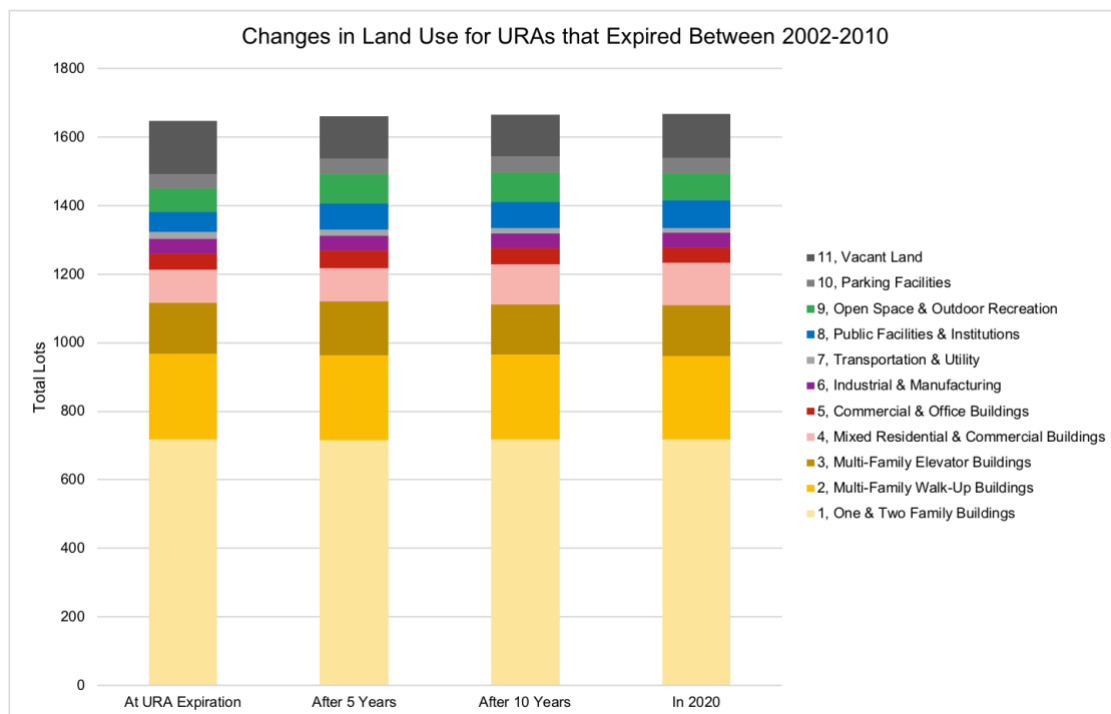


Figure 4: Land Use Change of Urban Renewal Areas Expired Between 2002-2010

The increase of 22 new public facilities and 13 new parks and open spaces indicates the improvement of city-owned lots or privately held lots for public use. In addition, the decrease in transportation-related uses can indicate a condensation of municipal uses into smaller centers, shifting from transit to transit-oriented uses. While the lots in URAs that expired in the early 2000s experienced a loss in office space compared to the gain in this same space with those that have expired after 2010, the actual values of the losses emphasize a stronger support of an overall gain. For instance, of the URAs that expired between 2002 and 2010, excluding 2008, 4 lots changed from commercial or office to other uses, compared to an overall gain of 7 lots as commercial spaces.

For more spatial detail, building changes are more complex within the expired URAs by lot level. In text, all maps will be shown on a larger scale view of Lower Manhattan, to more easily compare lot-level indicators throughout. However, full-page citywide maps are included in the Appendix to better understand citywide changes.

Overall, most of the lots that were vacant at the time of their URAs' expiration remained unchanged by 2020. Of the 3,328 lots citywide that were analyzed, 73 changed to other uses, 46 became vacant, and 308 stayed vacant. The lots that became vacant are sometimes indicators of actual vacancies, such as the large vacant lot in the eastern portion of the Greenpoint URA (see upper-right of Figure 5). They can also be indicators of ongoing change, such as the large lot in the new Essex Crossing development in the Lower East Side, where a school is under construction (see center of Figure 5). In addition, they can also be lots reserved for open space

or conservation land, as in lots on marshy areas in the western portion of Staten Island (see Map 1 in the Appendix). However, these changes have to be visually reviewed using aerial imagery or through other sources, making validation too cumbersome for this analysis.

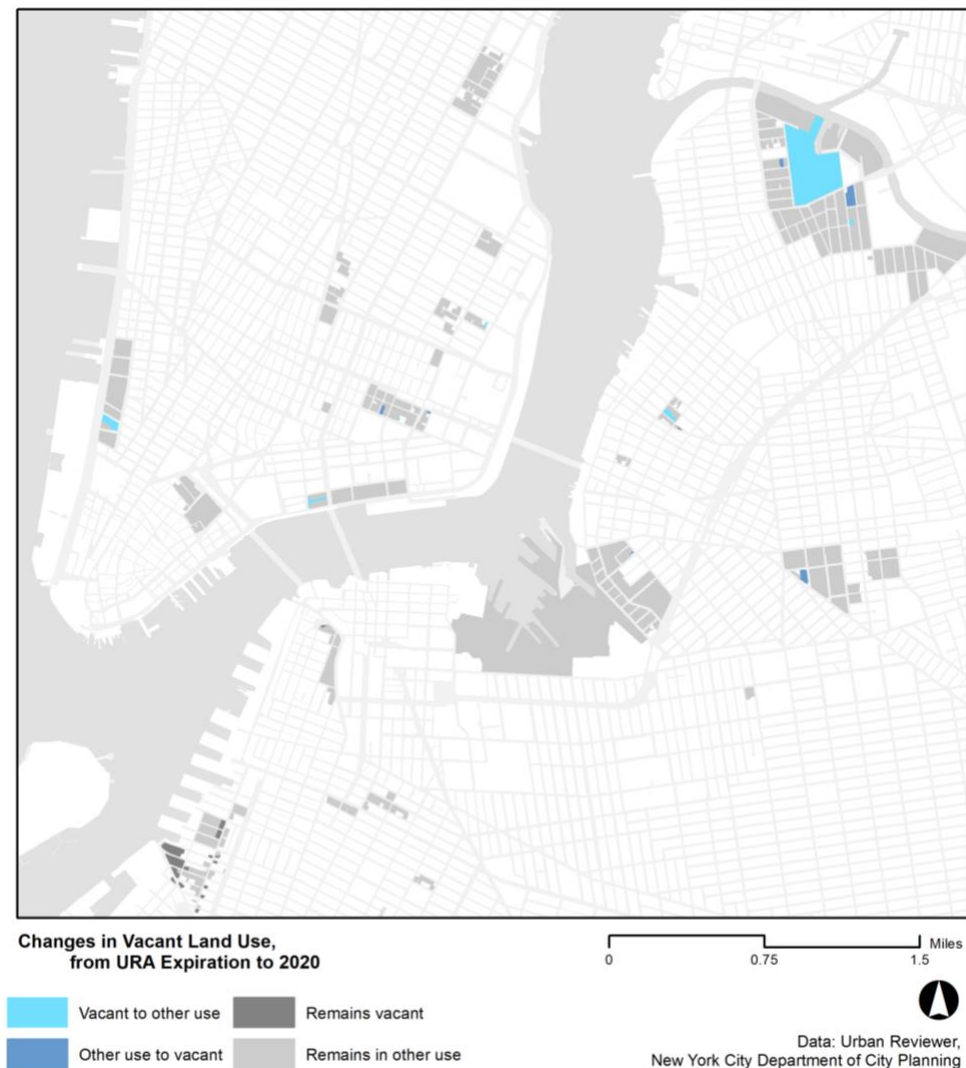


Figure 5: Changes in Vacant Land Use, from URA Expiration to 2020

Other indicators, such as changes in total units, can be complemented with changes in numbers of new buildings and major alterations. The most new buildings per lot were built in URAs that

expired in 2004 and 2015, with 12 percent and 13 percent of the total lots made up of new buildings. In total, just 143 lots in former URAs citywide have new buildings on them.

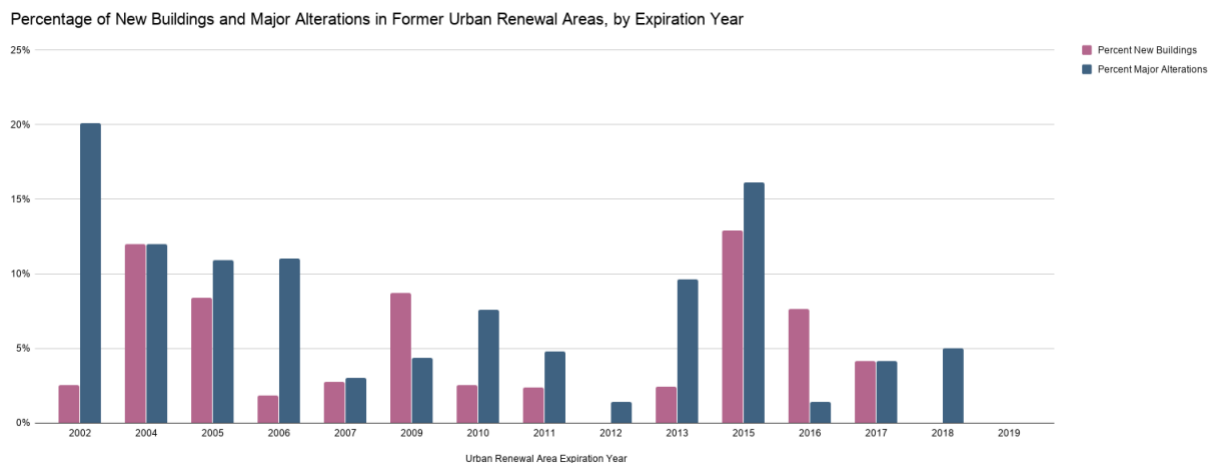


Figure 6: Percentage of New Buildings and Major Alterations in Former Urban Renewal Areas, by Expiration Year

However, more buildings have had major alterations made, which can update existing buildings to new building-like qualities. With a median of 5 percent of all lots in Urban Renewal Areas undergoing major alterations, with a high of 20 percent and low of 0 percent, alterations affect more lots in former Urban Renewal Areas than new buildings. Of all expired URAs, a median of 0.3 buildings are built in former Urban Renewal Areas annually, with a median of 0.5 buildings altered annually. While low, this continues to indicate the preference for alterations, but still positive annual growth of construction in these areas.

There is also significant striation in buildings built per year, with the highest count of buildings built per year closely following general trends of real estate investment. For example, there was

a drop in buildings built per year near the end of the housing bubble in 2006 and then again through the Great Recession in 2008 and 2009, followed by a rebound in building a couple years after. A peak in buildings built occurred in 2016 in line with foreign investment peaks in New York real estate, followed by subsequent decline as a result of decreased foreign investment and other impactful policies (The Real Deal, 2020).

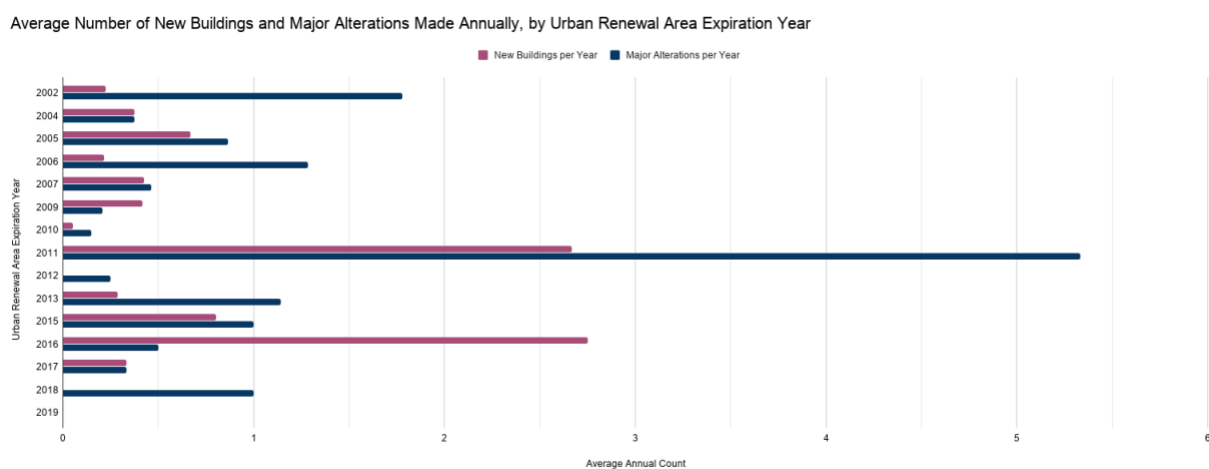


Figure 7: Average Number of New Buildings and Major Alterations Made Annually, by Urban Renewal Area Expiration Year

These changes in the buildings that were actually built and major alterations to existing buildings have changed the experience of the buildings and sites from the street or sidewalk. Most changes occurred along the streetwall in all expired URAs, except for those which expired in 2011 and 2013, influenced by the interior development of industrial areas in Brooklyn and Staten Island. In URAs with little change in building frontage to lot frontage ratios, existing buildings may have already reached the edges of their lots, or may have undergone change internally or on the original footprint. A more identifiable indicator for built form is the percent change in streetwall

coverage. Citywide, 2,389 lots experienced no streetwall change, with the streetwall coverage decreasing on 108 lots and increasing on 91 lots.

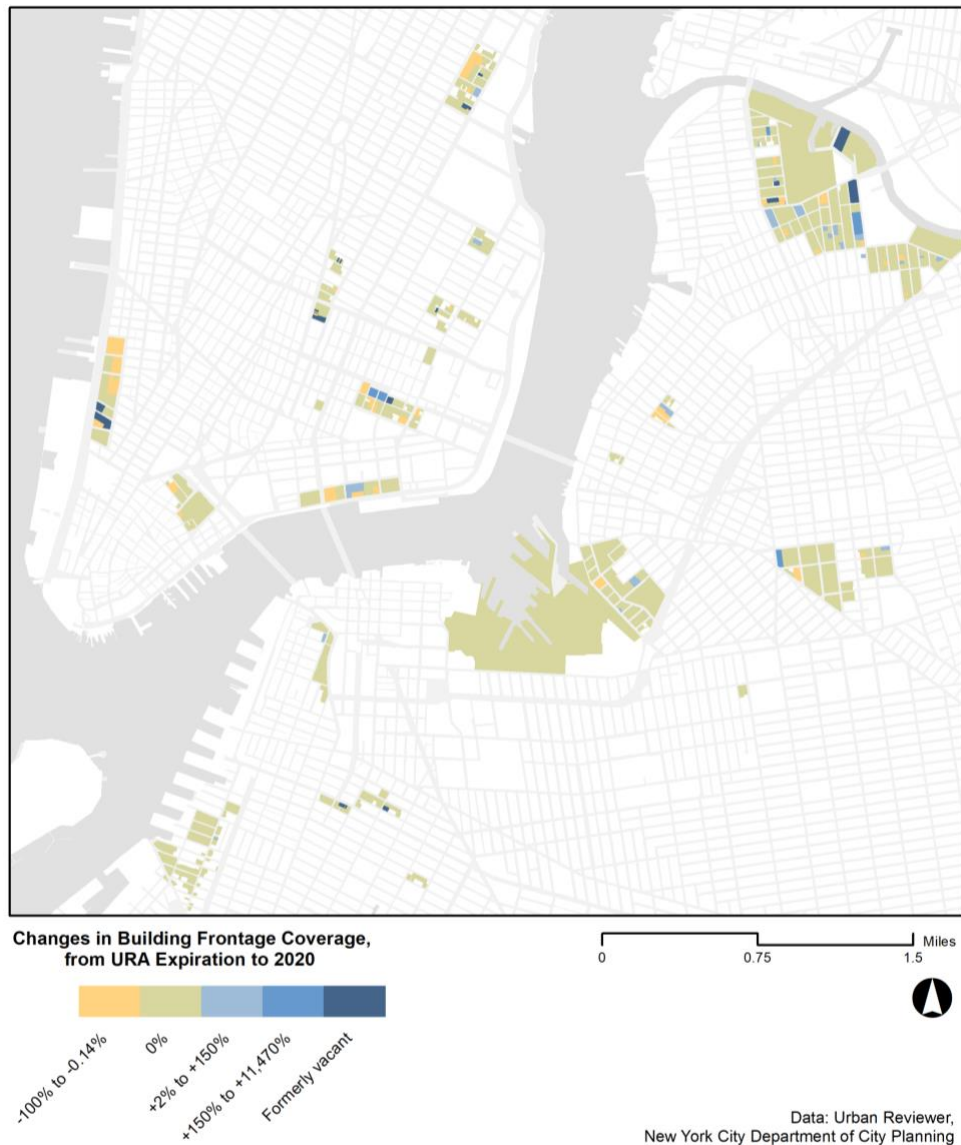


Figure 8: Change in Building Frontage Coverage, from URA Expiration to 2020

In Essex Crossing on the Lower East Side (see Figure 8), lots that were formerly parking lots now have new buildings on them, increasing the streetwall coverage. Those with streetwall coverage

decreases reconfigured building massing to produce slimmer structures, set back to create wider sidewalks or more open space. Building change can also be indicated by changes to the total number of units per lot (see Figure 9). Significant changes on these commercial and residential lots can indicate that a major alteration has taken place or a new building has been built.

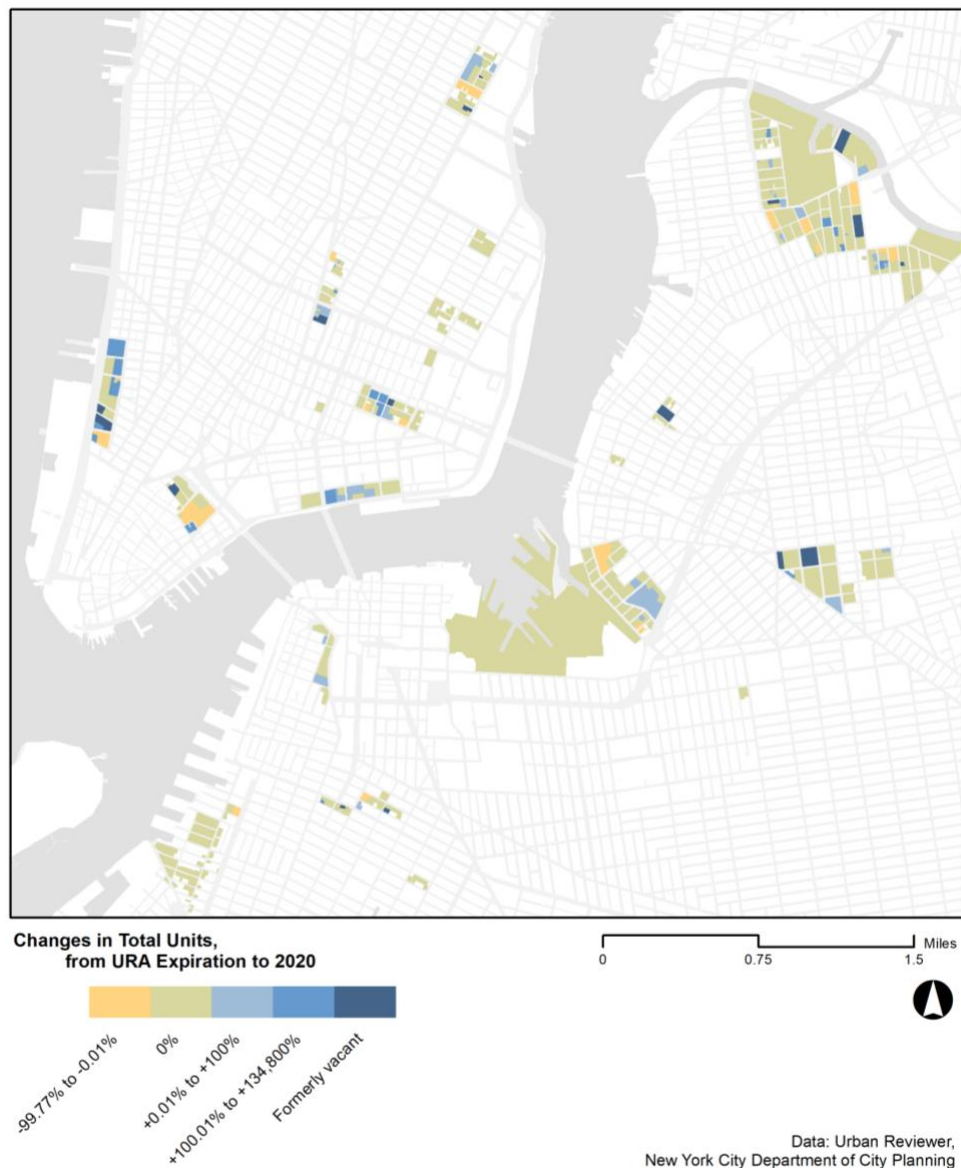


Figure 9: Change in Total Units, from URA Expiration to 2020

Since change in total units does not delineate whether these units are commercial or residential, percentage change in total area used for residential and commercial uses was measured (see Figure 10 for residential and Figure 11 for commercial).

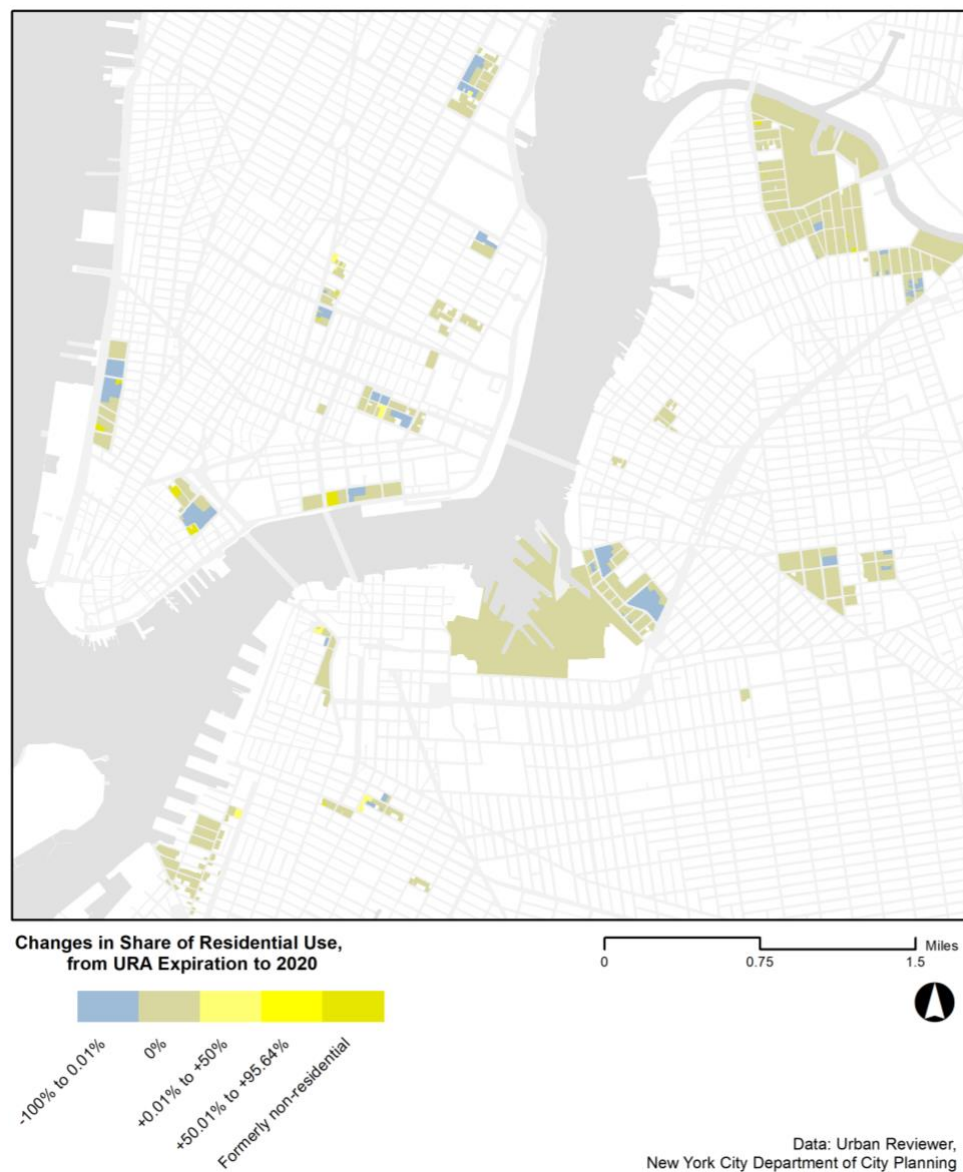


Figure 10: Changes in Share of Residential Use, from URA Expiration to 2020

Significant residential changes are apparent in the construction of Two Bridges' One Manhattan Square and Essex Crossing's The Rollins. Reductions in residential space are also present in some of the now vacant lots, as well as in some lots in neighborhoods that have been prioritized for commercial space. However, some reductions can also be attributed to new proportions in commercial-residential use mix, as in Essex Crossing.

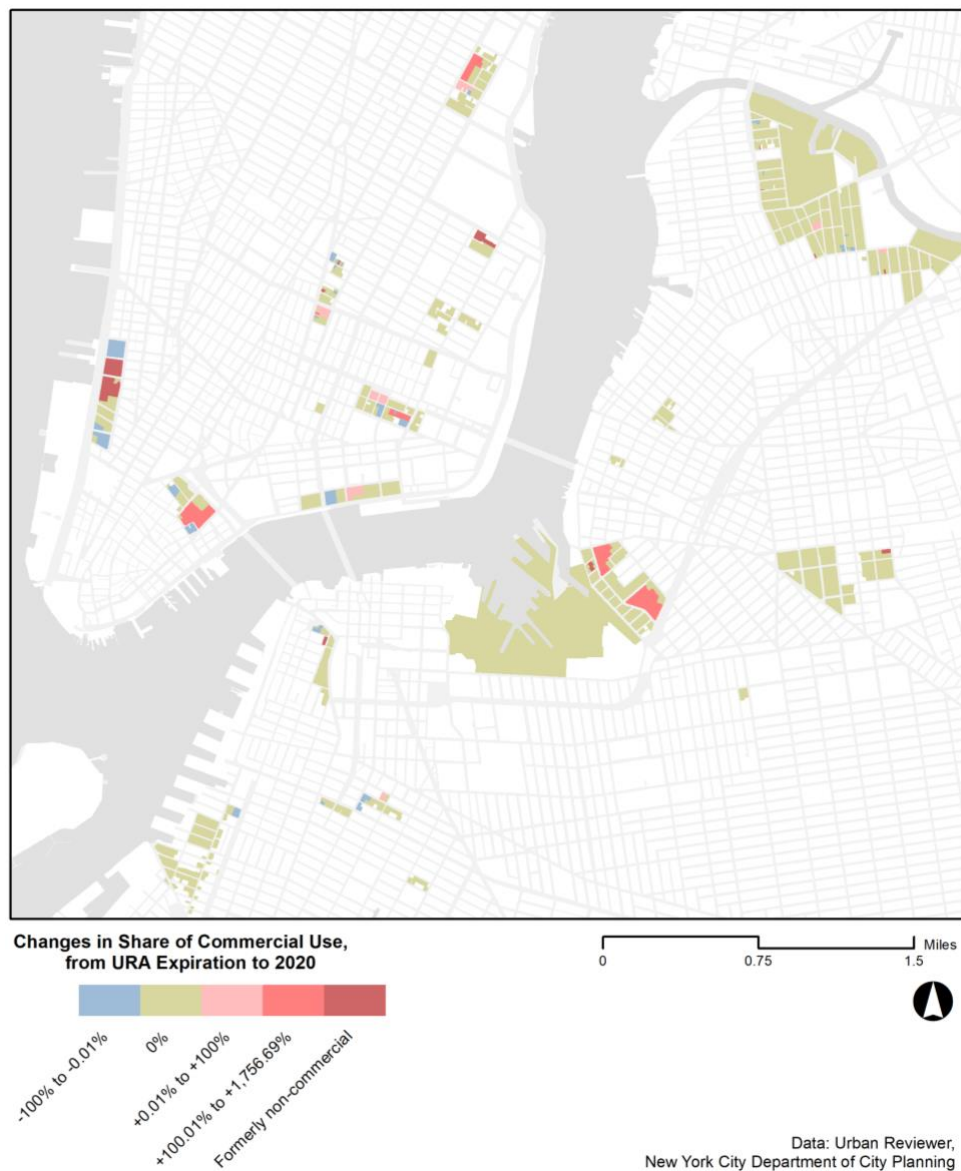


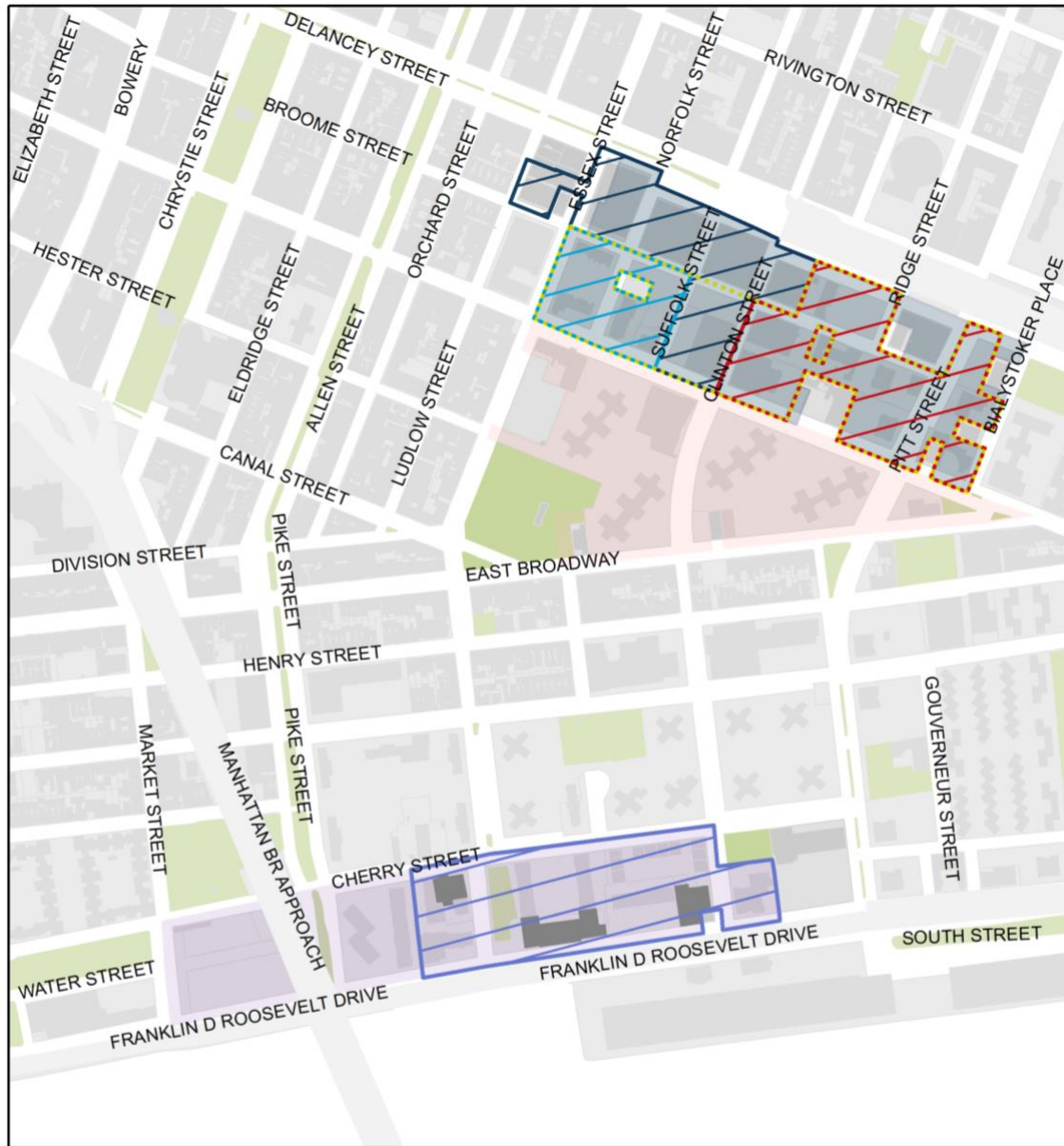
Figure 11: Changes in Share of Commercial Use, from URA Expiration to 2020

In Figure 11, the shift to commercial space in Lower Manhattan and Williamsburg is more apparent. Lots in Williamsburg, near the Brooklyn Navy Yard, became more filled with commercial space, as well as lots in Tribeca near Battery Park City.

Overall, the changes in these built environment indicators have highlighted the ways that development in former Urban Renewal Areas has changed. Development has occurred in line with major redevelopment projects and City initiatives, like rezonings, or general City and real estate preferences, like increasing office space in Lower Manhattan. Increasing residential use is primarily concentrated in the outer boroughs, whereas increasing commercial space and mixed-use buildings is concentrated in major commercial centers and emerging commercial areas. In addition, the changes in the Lower East Side from smaller buildings and empty lots to more mixed-use buildings are evident in two high-profile redevelopments in former Urban Renewal Areas. These two redevelopments, Essex Crossing in the former Seward Park Extension URA and proposed and built towers in the former Two Bridges URA, will be explored in more detail via case study analysis.

Case Studies

Changes in land use in line with citywide real estate market trends and City development preferences have driven development in former Urban Renewal Areas. However, quantitative analysis alone cannot fully explain the decision-making dynamics and unbuilt proposals for lots in former Urban Renewal Areas. Using case studies, the methods of community involvement in decision-making in major developments in former Urban Renewal Areas will be explored. The selected case studies exemplify the myriad of methods used by communities to voice their concerns and preferences for new development, the roles of the City in facilitating the development, and the roles of developers in both proposing and carrying out new developments. Proposed and built developments in the Two Bridges Urban Renewal Area (TBURA) and the Seward Park Extension Urban Renewal Area (SPEURA) were chosen for the high visibility and coverage of their development and the stark contrast in methods of community involvement. In addition, these sites are located within a ten-minute walk from one another, highlighting the varied ways that one area composed of multiple neighborhoods and represented by similar players can ultimately express their development interests (see Figure 12).



Overview: Seward Park and Seward Park Extension URAs, Two Bridges URA



Data: Urban Reviewer,
New York City Department of City Planning

Figure 12: Overview of the Seward Park, Seward Park Extension, and Two Bridges Urban Renewal Areas

Two Bridges

The Two Bridges neighborhood is located near the Essex Crossing development, along South Street and the East River. The neighborhood has welcomed multiple waves of new residents in the last century, primarily low-income immigrants. However, the area has experienced change in recent years, with an increasing proportion of higher income residents. This change is best exemplified by the newly completed One Manhattan Square and subsequent proposals for three new buildings composed of four towers on neighboring lots.

Since the 1960s, the Two Bridges neighborhood has been home primarily to Chinese immigrants, with a rising influx of Puerto Rican residents since the 1980s (Eng, 2018). However, since 2010, the number of white residents in census tract 6, where the new buildings are located, has increased by 13 percent, the second largest influx in the neighborhood aside from areas closer to Sara Roosevelt Park (U.S. Census Bureau, 2018). In addition, the neighborhood also lost nearly 25 percent of its Asian population, led by a 21 percent decrease in Chinese residents. The neighborhood has further experienced a 95 percent increase in Latinx residents, driven by a 98 percent increase in Puerto Rican residents and an 88 percent increase in other Latinx or Hispanic residents.

With an influx of new residents seeking lower housing costs in the early 2000s, older and lower income residents have become increasingly vulnerable to the threat of secondary displacement. Since 2010, the population of census tract 6 increased by 23 percent for those over 65, and by 93 percent for those over 85 (U.S. Census Bureau, 2018). The increase in the elderly population,

as well as a general increase of new residents, contrasts with the 9.5 percent increase in housing units available in the area. These population changes require more affordable housing, especially at income levels available to nearby residents and nearby seniors.

I. Historic Development

The Two Bridges area has been home to a large low-income population for over a century. Driven by the perception of poverty via blighted buildings – and reality of poverty in the very low-income immigrant resident community – during the early twentieth century, some of the Two Bridges area was cleared to create new housing (New York City Department of Housing Preservation and Development, 1994). This housing, largely constructed by NYCHA, used Corbusian design to attempt to solve socioeconomic problems (Hughes, 2015). These properties were located near the waterfronts, then an undesirable location because of the polluted state of the river and associated odors and health issues (K. Jacobs, 2019). In the Two Bridges neighborhood, the Rutgers Houses and LaGuardia Houses were built in the late 1950s and early 1960s (New York City Department of City Planning, 1961). Across the street from these structures, between South Street and Cherry Street, a series of 22-story buildings were planned to house 10,000 new residents as a later phase to complement the NYCHA complexes (see Figure 13) (Stern et al., 1997, p. 144).

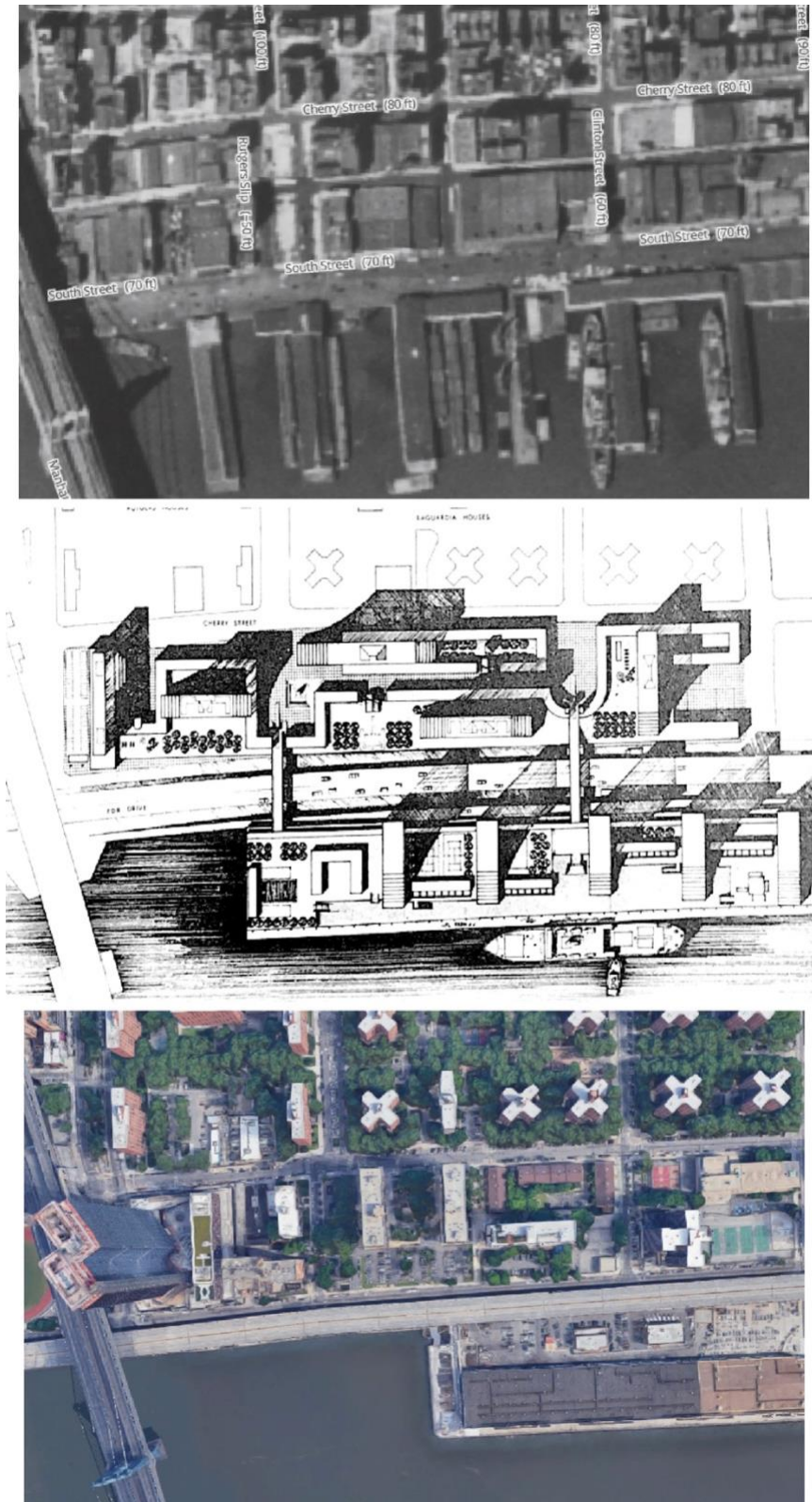


Figure 13: From top to bottom, Two Bridges in 1951 (New York City Department of Information Technology and Telecommunications, 1951), as envisioned after urban renewal in the 1962 URP (Stern et al., 1997, p. 145), and in 2020 (Google Earth).

This vision was shared by the Two Bridges Neighborhood Council, which included plans for mixed-use, primarily residential development in this area in a 1960 “self-renewal” plan. The Dock Area was named for its high concentration of manufacturing uses, and authors note that the “river view makes the area desirable for housing” (Two Bridges Neighborhood Council, 1960, p. 14). The plan also calls for mixed-income housing here to “reinforce the pattern of diversified housing and to provide rentals high enough to subsidize middle-income units in the same area” (Two Bridges Neighborhood Council, 1960, p. 14). Closely mirroring plans from the Two Bridges Neighborhood Council, the City designated the area as an URA in 1967 (New York City Department of Housing Preservation and Development, 1994). In 1972, the City Planning Commission approved a LSRD in order to create the zoning and site planning flexibility needed to implement the Urban Renewal Plan (New York City Planning Commission, 2018).

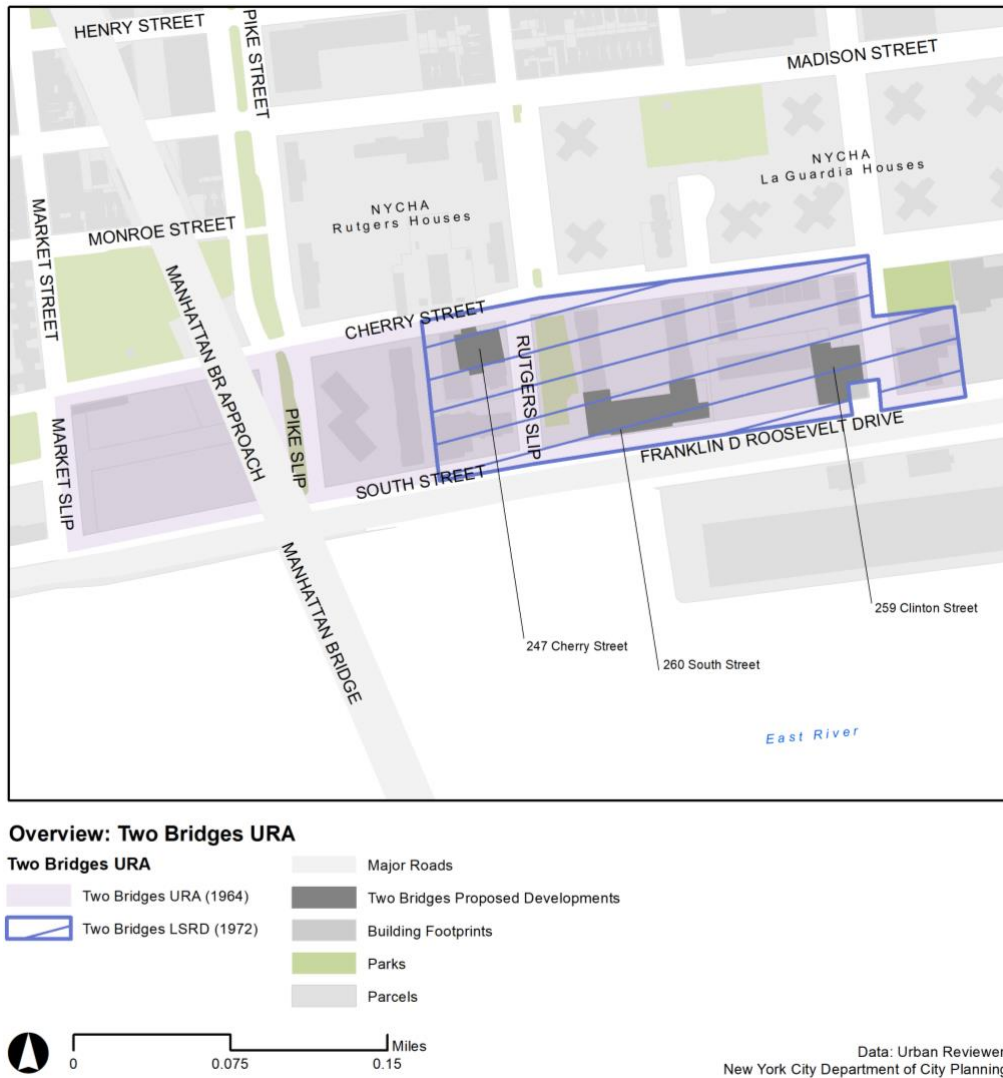


Figure 14: Overview of the Two Bridges Urban Renewal Area

Over time, the East River has been cleaned, the neighborhood has experienced significant sociodemographic change, and the built form has culminated in a mixture of NYCHA buildings, former tenements, and a few modern glass buildings. While some researchers point to the creation of the Chinatown Business Improvement District in the aftermath of 9/11 as the reason for heightened development interest, many attribute this interest to the November 2008 rezoning of 111 blocks in the Lower East Side by the Bloomberg administration (Ngu, 2019). At

the time, the Lower East Side rezoning was the city's third largest rezoning since the adoption of the 1961 Zoning Resolution (Li, 2010). Although the planning process for the rezoning began in 2005, many residents were unaware discussions and meetings were taking place until the Chinese Staff and Workers Association sent out an alert in 2007 (Li, 2010, p. 92).

The Lower East Side rezoning downzoned most of the covered area by introducing contextual zoning and height limits. Critics noted that the area covered by the downzoning favored the preservation of majority white blocks while omitting adjacent sections with higher populations of residents of color. The Coalition to Protect Chinatown and the Lower East Side found that 73 percent of the white population in the Community Board lived in rezoned areas, while only 23 percent of the Asian-American population and only 37 percent of the Latinx population lived in the rezoned areas (Lee, 2008). Pushback against this rezoning helped to form a strong network of organizers and activist groups seeking progressive development in the Lower East Side (Li, 2010). After the rezoning passed, over 60 organizations formed the Chinatown Working Group, which produced an independent rezoning proposal for the omitted areas in 2013 (Savitch-Lew, 2015).

When the City created the new Zoning Resolution in 1961, planners assumed that the frequency of high density buildings would progress upwards into the Lower East Side, setting the zoning in these areas as C6-4, or an R10 equivalent, the highest density zoning designation possible that also has no height limits (Savitch-Lew, 2015). Outside of the Lower East Side rezoning in 2008, the entire area encompassed by the Community Board had not been rezoned under the 1961

Zoning Resolution. Due to speculative real estate's perception of the area as a high-risk investment, coupled with a high concentration of collaboratively-owned buildings, development pressure was not present in the neighborhood until the 1980s (Eng, 2018). Development pressure slowly increased as the area began to gentrify, and the rising pressure from wealthier white residents spurred the City to take on a rezoning in the early 2000s. To mitigate similar threats to the areas omitted in the 2008 Lower East Side rezoning, the Chinatown Working Group's 2013 plan included the contextual zoning protections of the 2008 downzoning and added protections for inclusionary housing, tenant protections, height limits, public review processes, and preferred and protected commercial uses (Savitch-Lew, 2015). However, the Department of City Planning denied the Chinatown Working Group's rezoning proposal in February 2015, stating that the rezoning was "not feasible at this time" (Savitch-Lew, 2015).

II. Recent Development

Since this time, there have been several notable developments in the Two Bridges area alone, including the completed One Manhattan Square project and proposals for a 1,008-foot supertall at 247 Cherry Street by JDS, a dual tower building with 748-foot and 798-foot heights at 260 South Street by L+M Development Partners and CIM Group, and a 730-foot tower at 259 Clinton Street by the Starrett Corporation (New York City Planning Commission, 2018). All located on the same block, only One Manhattan Square, or 225 Cherry Street, is located outside of the Two Bridges LSRD and was built as-of-right. First proposed in April 2014, One Manhattan Square took over the site of an affordable grocery store with promises to replace it, which have yet to be fulfilled years after completion of the project (Fedak, 2014; Litvak, 2018). The site itself currently

holds a 155-foot, 13 story structure with 204 affordable units, in addition to the main 72-story, 811-foot tower with 815 luxury units (AA1 Architects, P.C., 2015).



Figure 15: Proposed and built megadevelopments for Two Bridges. From left to right, the towers are One Manhattan Square, 247 Cherry Street, 260 South Street, and 259 Clinton Street (Pereira, 2020).

The proposed affordable housing is only considered median or middle-income housing to neighborhood residents. To meet voluntary affordable housing guidelines, affordable apartments were priced to be available to those making 60 percent of the Area Median Income (AMI). For New York City, AMI calculations include the city itself as well as Rockland and Westchester Counties, mostly suburban counties to the north of the city. For a unit available to a household of two, the household size applicable to 48.5 percent of households in its immediate area, applicants were required to make between \$36,823 and \$45,840; this is double the median income, of \$20,167 for the same census tract in 2018. Within a half-mile radial distance from

One Manhattan Square, the median income increases to \$39,208.50, with 49.55 percent of the population living in two-person households (U.S. Census Bureau, 2018). In contrast, the tower has listed nearly 40 percent of its units as two bedrooms with prices starting at \$2.1 million (Chen, 2019).

The neighboring LaGuardia Houses are under consideration for inclusion in the NextGeneration Neighborhoods Program, a program intended to create mixed-income development on portions of existing NYCHA property to fund improvements to the campus itself (Smith, 2019). Although related to development on former Urban Renewal Areas, this program applies to the NYCHA campuses created as part of “slum clearance” programs.

Within this three-block area of intense luxury residential development, plans were proposed in 2016 for three new skyscrapers in Two Bridges. The first building, 247 Cherry Street, will be a glassy, boxy tower designed by SHoP Architects, cantilevering over a ten-story senior housing complex. Next door, 260 South Street, designed by Handel Architects, will be composed of two towers—linked by a common lobby—reaching 69 and 62 stories, respectively. The last tower proposed is 259 Clinton, designed by Perkins Eastman, rising to 62 stories with retail spaces on the ground floor (K. Jacobs, 2019). While designed separately, the towers were considered within the same environmental review framework. The Department of City Planning, evaluating the projects on behalf of the City Planning Commission, grouped these projects to better evaluate their cumulative environmental impacts (Municipal Art Society of New York, 2018). Anticipating potential impacts on the community, developers have promised new senior

facilities, “flood resistant landscaping, [and] publicly accessible greenery” (K. Jacobs, 2019).

However, despite the identified impacts, no specific measures for mitigation or enforcement of proposed potential mitigation strategies have been outlined. In addition, a 2016 memo from the Director of the Department of City Planning stated the proposal was for “minor modifications” to the 1972 LSRD, thereby allowing the project to circumvent public review through ULURP (Municipal Art Society of New York, 2018).

III. Public Comments

The scale of development and the speed of the development process has proved overwhelming not only for residents looking to stay engaged and involved in improving the plans, but also for interested advocates, legislators, and community groups advocating on residents’ behalf.

Representatives of the developers note that as proposed, these towers would create “the single largest number of unsubsidized affordable housing units provided in New York City history”

(Wyman, 2019, p. 132). A disjointed approach to merely informing the public, in lieu of legitimate engagement, has led to diverging perspectives on the new development, from outright opposition to compromise with social justice aims to outright support of any development regardless of mitigation (Kully, 2019a).

Even within the environmental review process, the myriad of community members’ comments were heard but not listened to in a way that noticeably affected the project plan. After development plans were released to representatives in 2016, the only opportunities for residents, advocates, and representatives to provide input and to influence decision-making

were during two City-mandated meetings: a project scoping hearing in March 2017 and a Draft Environmental Impact Statement (DEIS) hearing in October 2018 (New York City Planning Commission, 2018). As part of the City Environmental Quality Review (CEQR) process, developers must hold two public hearings, once after the Draft Scope of Work is released and once after the Draft Environmental Impact Statement is released (see Figure 16).

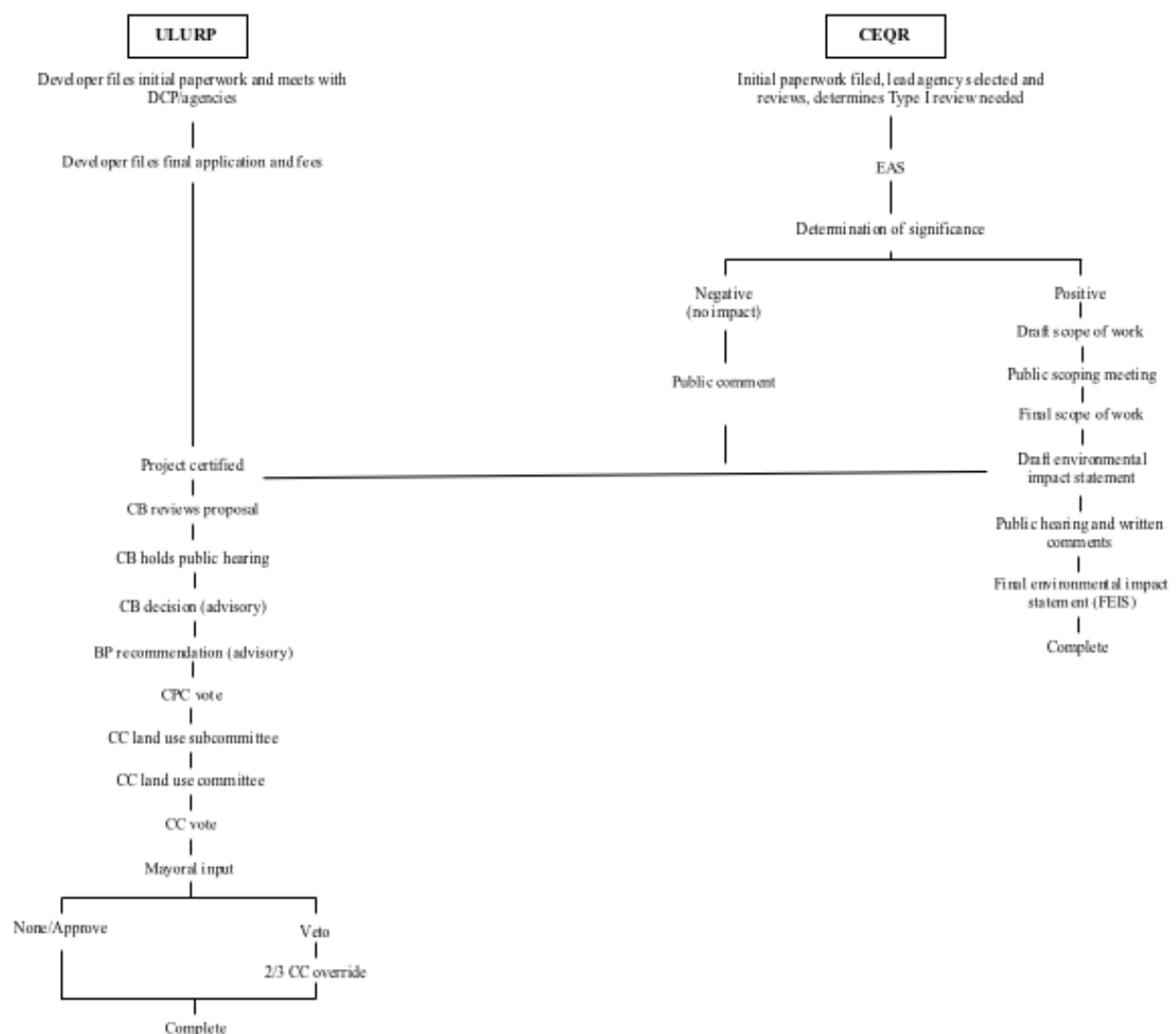


Figure 16: The Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR) Processes (New York City Department of City Planning, n.d.-a, n.d.-b; New York City Office of Environmental Coordination, 2010; VHB et al., 2014).

All public comments from these hearings are then recorded in the Final Environmental Impact Statement (FEIS). At the public scoping hearing in 2017, oral comments were submitted by 50 community members, seven Community Board representatives, and all state and local elected representatives. An additional 95 community members submitted written testimony (New York City Planning Commission, 2018). Twenty-five civic organizations were represented by community members' written and oral comments. However, community groups believe that their comments went largely unaddressed in the FEIS, and have little trust that proposed mitigation will be carried out (Kully, 2019a).

Following the hearings and the lack of tangible project alterations, several organizations filed lawsuits against the approving agencies in New York State Supreme Court in Manhattan. The first suit was brought by Borough President Gale Brewer together with the City Council against the Department of City Planning, City Planning Commission, Department of Buildings, the City itself, and the Chair of the City Planning Commission. The petitioners argued that the City's determination of the proposed changes to the LSRD as "minor" should not have been approved, and that the project should go through ULURP (Kully, 2019a). They later amended their case, adding that the proposal required lifting affordable use deed restrictions on a lot with a senior housing facility, which was not disclosed in environmental review documents.

In March 2019, a coalition of community groups led by the Lower East Side Organized Neighbors, Chinese Staff and Workers Association, Youth Against Displacement, National Mobilization

Against Sweatshops and other residents filed a case against similar respondents, seeking to annul the development project completely (Kully, 2019b).

On the same day, a separate coalition of community groups also filed suit against the same respondents to annul the approval of the project, citing the City's failure to follow proper procedure in changing LSRD site plans. This coalition was led by Tenants United Fighting for the Lower East Side (TUFF-LES), CAAAV: Organizing Asian Communities, Good Old Lower East Side, Land's End I Tenants' Association, and LaGuardia Houses Tenants' Association (Kully, 2019b).

As all cases were filed with the same court, they were heard together in June 2019 (Kully, 2019b). In all cases, the developers and the City argued that the project complied with underlying zoning and could therefore move forward as-of-right, not requiring the Uniform Land Use Review Procedure (ULURP). The respondents also stated their mitigation agreements as reason for development, including nearly 700 units of permanently affordable housing of the nearly 3,000 units created, ADA-accessibility for the East Broadway subway, and repairs for public parks and one of the area's NYCHA complexes (Kully, 2019b).

While petitioners awaited the rulings (Kully, 2019b), several community groups, including TUFF-LES, CAAAV, and GOLES worked to resubmit to the City a section of the Chinatown Working Group rezoning plan that applied to the Two Bridges Urban Renewal Area (TBURA). The proposed rezoning was submitted to the City in July 2019, which would then undergo the ULURP and CEQR processes if approved (Kully, 2019c).

IV. Legal Decisions

On July 31, 2019, Judge Arthur Engoron released his decision on the case brought by the Borough President and City Council, ruling that the towers must go through the ULURP process. Judge Engoron wrote that the “City Council... should have a say in whether such a vast intrusion should be allowed into it [as the City’s legislative branch]. ULURP is not a draconian penalty; it is a process that gives a seat at the table to Community Boards, borough presidents, the Planning Commission, the City Council, and the Mayor (in short, all interested parties, either directly or by representation)” (*The Council of the City of New York and Manhattan Borough President Gale A. Brewer v. Department of City Planning of the City of New York, New York City Planning Commission, New York City Department of Buildings, the City of New York, and Marisa Lago and Two Bridges Associates, LP, LEI SUB LLC, and Cherry Street Owner, LLC*, 2019).

On February 24, 2020, Judge Engoron ruled in favor of the community organization in the suit brought by LESON, the Chinese Staff and Workers Association, and others, annulling the development of the project. Engoron agreed with the petitioners that the City had to show that the proposals followed the zoning code for LSRDs. He also stated that petitioners had to wait until the deed restriction on the senior housing was modified before filing a challenge, and had to wait to file challenges on proposed void restrictions. Judge Engoron did not agree with petitioners that the City did not follow CEQR procedures (*Lower East Side Organized Neighbors, Chinese Staff & Workers Association, Youth Against Displacement, National Mobilization Against Sweatshops, Clara Amateleon, Elvia Fernandez, Anotonio Quey Lin, David Nieves, Audrey Ward v. The New York City Planning Commission, the Department of City Planning of the City of New York,*

the City of New York, Marisa Lago, Director of Department of City Planning and Chair of the City Planning Commission, the New York City Department of Buildings, Two Bridges Associates, LP, LE1 Sub LLC, Cherry Street Owner LLC, 2020).

On February 25, 2020, Judge Engoron ruled in favor of the community organizations in the case brought by TUFF-LES, CAAAV, GOLES, and the tenants' associations. Since these petitioners, like the petitioners in the LESON suit, also argued that the City did not show that the towers followed LSRD regulations, the petition was granted on these grounds only. Since the annulment had already been granted, Engoron did not rule on the other arguments that the characterization of the existing permit was "minor" and that the CEQR review disregarded adverse impacts (*Tenants United Fighting for the Lower East Side a.k.a. TUFF-LES, CAAAV Organizing Asian Communities, Good Old Lower East Side a.k.a. GOLES, Lands End One Tenants Association a.k.a. LEOTA, LaGuardia Houses Tenants Association v. City of New York Department of City Planning and City Planning Commission, Cherry Street Owner LLC, Two Bridges Senior Apartments, L.P., Two Bridges Associates L.P., LE1Sub LLC, 2020*). The developers have stated that they will appeal all three rulings (Spivack, 2020).

Seward Park Extension and Essex Crossing

The planning and public process involved in the Two Bridges developments greatly contrasts with the process involved in the creation and buildout of Essex Crossing, a large mixed-use development in the Lower East Side and located within a ten-minute walk from Two Bridges. Located in adjacent census tracts, the histories of the immediate neighborhoods are similar. While both have experienced significant change in the built environment over the last century due to City projects, the Seward Park area's urban renewal history has been more visible, more politically fraught, and more contentious than that of Two Bridges.

I. Historic Development

The Essex Crossing development is constructed on the remnants of the Seward Park Extension Urban Renewal Area (SPEURA), created in 1964 as an add-on to the previous Seward Park Urban Renewal Area (SPURA). As one of the first urban renewal projects using Title I funding, SPURA was created and carried out by Moses' Committee on Slum Clearance in 1955 (New York City Planning Commission, 2020; Williams, 2017). SPURA was planned as a triangular area bound by East Broadway, Essex, and Grand Streets, 96 percent of which was home to tenements housing thousands of existing residents, a majority of whom were Puerto Rican. Of the nearly 1,500 families evicted as a result of the destruction of the tenements in 1959, only 185 elected to live in the new cooperative housing built to replace them. As illustrated in the figure below, the four geometric towers-in-the-park were ultimately built as planned, but the curved commercial spaces that linked the towers were never created (New York City Committee on Slum Clearance, 1956).

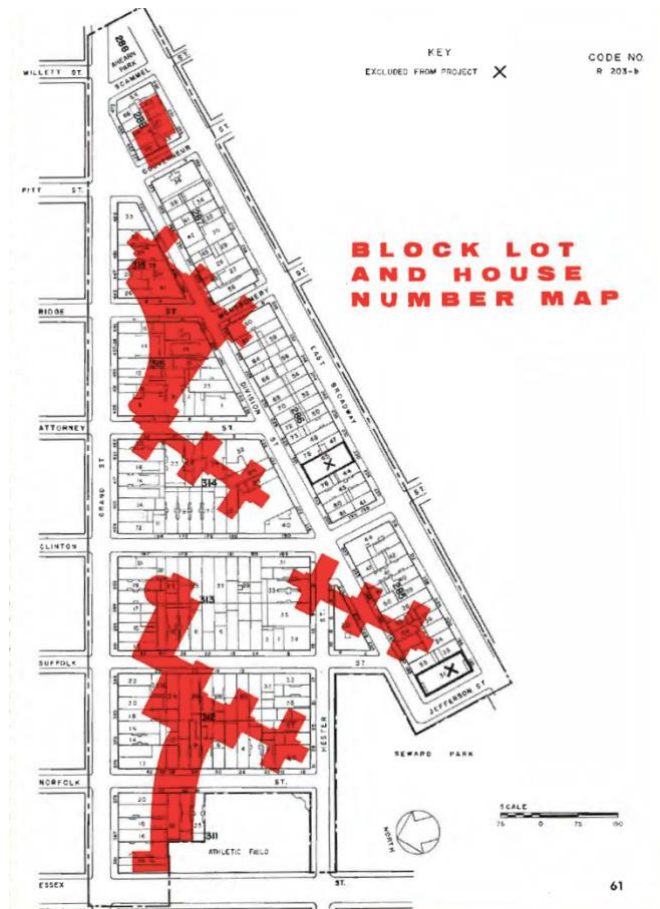


Figure 17: New Development and Former Lots in the Seward Park Urban Renewal Area (New York City Committee on Slum Clearance, 1956, p. 61)

As a second phase to SPURA, the Seward Park Extension URA (SPEURA) was officially proposed in 1958 to create 1,800 units of housing on nearly 26 acres of land. The final plan adopted in 1965 sought to create six 20-story buildings on occupied land, evicting 2,150 families (New York City Planning Commission, 2020; Williams, 2017). The Seward Park Extension Large-Scale Residential Development (LSRD) was created in the same year in order to facilitate the creation of the buildings outlined in the Urban Renewal Plan (New York City Planning Commission, 2020).

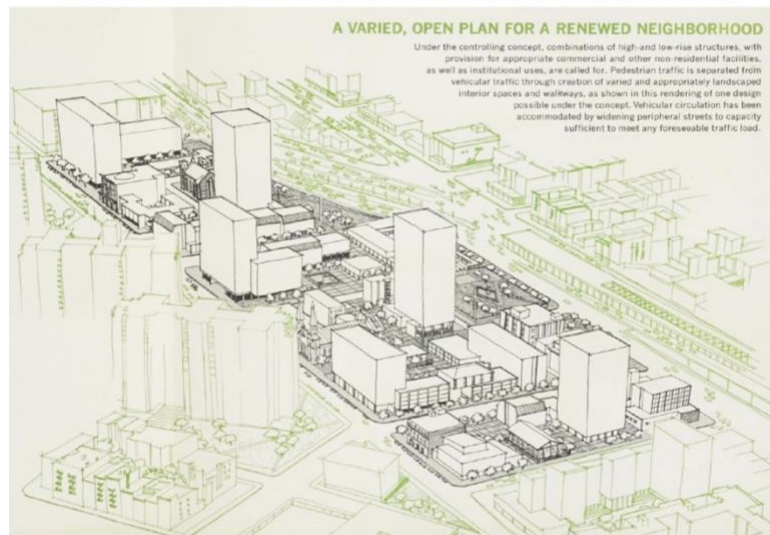


Figure 18: Seward Park Extension in 1965, as envisioned after urban renewal in the 1965 URP (New York City Housing and Redevelopment Board, 1965), and in 2019 (Google Earth, edited by author).

Not all planned development materialized after the lots were cleared. After early initial rezonings and landmarking in the area, only two major planning actions took place. In 1980, one lot was separated into two, with one of the new lots disposed to create the Hong Ning Senior Housing building. In the early 1980s, the City Planning Commission approved an action to de-map one lot from SPEURA and the LSRD, but the owner never proceeded with their approved plans so the lot was not de-mapped (New York City Planning Commission, 2020).

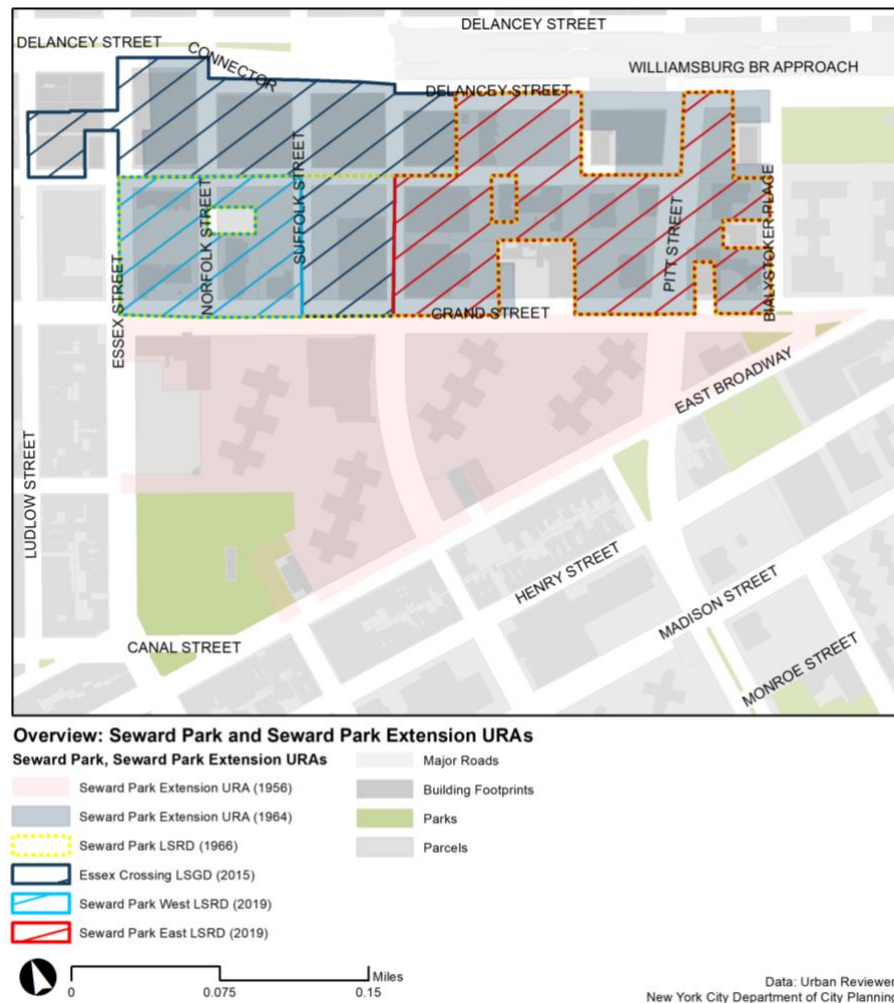


Figure 19: Overview of the Seward Park and Seward Park Extension Urban Renewal Areas

Major private developers bid for the sites, but many projects failed to progress past the proposal process. In 1988, after closed-door meetings, the City announced the selection of the LeFrak Organization to develop 400 condominium units and 800 middle-income rental units (Williams, 2017). After concerns from progressive community advocates and competing developers about the absence of low-income units and the lack of public involvement in the decision-making process, the plans were ultimately defeated. Throughout the 1990s and early 2000s, other developments were proposed including a plan for 600 units in 1993, a proposal by LeFrak and a partner in 2000, and a mixed-use development plan by the New York City Economic Development Corporation (NYCEDC) in 2003 that was met with “lukewarm” responses (Williams, 2017).

II. Recent Development and Public Comments

After the expiration of SPURA in 1992 and SPEURA in July 2005 (New York City Planning Commission, 2020), residents and community groups worked to create alternate plans for development to propose to the City. The Good Old Lower East Side (GOLES), City Lore, and Pratt Center for Community Development started to conduct outreach to community members and 19 organizations to announce their visions for SPEURA in October 2008, publishing their report in September 2009. The authors conducted nine community meetings, a small workshop, multiple door-knockings, a survey, and an oral history project to collect input from the community (Pratt Center for Community Development & Good Old Lower East Side (GOLES), 2009). In their outreach, respondents cited a high interest in developing housing, with a higher preference for low to moderate-income housing. Seventy-four percent of respondents were willing to include

market-rate units to offset the costs of more affordable units. Respondents also wanted community centers, open space, and human-scale streetwalls. The outreach findings were received by the Community Board in October 2008, which held discussions with the Economic Development Corporation about the development of the SPEURA sites.

The burst of the housing bubble and the subsequent Great Recession translated to low development interest and a longer development timeline for the SPEURA sites. The unique, extended timeline allowed for more discussion and planning than possible for most other projects, which usually develop at a much faster pace (Litvak, 2009). After several months of internal discussions, the NYCEDC funded a mediator and planner from the Pratt Center for Community Development to meet with community organizations and stakeholders to construct a plan with community consensus in March 2010 (Litvak, 2010a). This decision was supported by the chair of the Community Board, who vowed to only support a proposal with broad community support (Litvak, 2010a). Before the facilitating planners had been hired, only meetings among similar groups had taken place, with no discussions between groups with opposing visions (Bagli, 2013).

By late 2010, the Community Board began discussions about affordable housing on the parcels, which had been delayed by the mediators to allow for broader visioning. Community members and neighborhood organizations expressed a variety of visions: homeowners opposing any development, progressive organizations advocating for more affordable housing, and business-oriented supporters desiring primarily commercial development (Litvak, 2010b). The final

meeting on community-led housing proposals was held in December 2010. At the close of years of community planning meetings, the area's state senator attended the meeting for the first time. His presence marked the first time a state representative had attended a meeting; the area's state assembly member had not yet voiced any public support nor gone to a meeting (Litvak, 2010b). The visible lack of state-level political support was partially explained several years later, after reports broke that an assembly member blocked redevelopment of the lots for over two decades to support of his anti-development core constituency of nearby homeowners (Buettner, 2014).

In January 2011, the Community Board voted to approve planning guidelines for the SPEURA site. Ultimately, the approval included requirements for 50 percent permanently affordable units, with ten percent for those making 131-165 percent AMI, ten percent making 50-131 percent AMI, 20 percent making less than 50 percent AMI, and ten percent for seniors making less than 50 percent AMI (New York City Planning Commission, 2012). Press coverage of the vote noted overall dissatisfaction with the compromises made, with housing advocates pushing for more affordable housing, nearby homeowners supporting less affordable and more market-rate housing, and the dissolution of assumed monolithic interest groups into multiple groups with varying positions on development (Litvak, 2011).

After years of regular monthly Community Board meetings to plan SPEURA, many of which included the Economic Development Corporation and public partner HPD, the CPC approved the Seward Park Mixed-Use Development Project in August 2012 (New York City Planning

Commission, 2012). The project created the Essex Crossing Large-Scale General Development (LSGD) on an area mostly covered by the former SPEURA in order to create flexible building massing requirements to create public space, markets, and human-scale street walls. The LSGD also mandates that the 50 percent affordable units must remain permanently affordable, with affordable units made available to former residents of SPURA or SPEURA that were displaced or moved to public housing and with preference for 50 percent of the created affordable housing to support current Community Board residents (New York City Planning Commission, 2012).



Figure 20: Rendering of Essex Crossing, looking south along Delancey Street (Russell, 2019).

After many of the buildings in the Essex Crossing LSGD were completed or under construction, the CPC voted to approve the creation of two new LSRDs from the original Seward Park Extension LSRD in January 2020. These new LSRDs were intended to facilitate the creation of two buildings, one containing 115 affordable units for seniors and the other containing 93 units affordable at 60 percent AMI, 25 percent of the total units built in the building (New York City Planning Commission, 2020).

The development of the expired Seward Park and Seward Park Extension Urban Renewal Areas followed a unique timeline. Various exogenous factors allowed for a slow, thoughtful, and community-driven development vision, which was permitted by the City and built out by multiple developers. Construction began in 2015 with plans to complete all buildings by 2024, aligning with community preference for phased construction to avoid the fate of previous development attempts (Guo, 2018; New York City Planning Commission, 2012).



Figure 21: View from Grand Street and Clinton Street of construction on the rest of Essex Crossing, November 2019 (Kimmelman, 2019).

Lessons from Contentious Development

Development pressure has manifested in changes to the built environment in former Urban Renewal Areas since their expiration years. Citywide, more commercial development has taken place in major and emerging commercial centers, like Lower Manhattan and Williamsburg (see Map 5 in Appendix). In Lower Manhattan and Hell's Kitchen (Clinton), increases in residential areas are co-located with major residential losses, while the increases in commercial space counter with losses in residential space in the Upper West Side (see Map 4 in Appendix).

Changes to buildings' massing through additions of new units and streetwall composition are present throughout, with increases in Lower Manhattan, Clinton and the Upper West Side, and College Point in Queens (see Maps 2 and 3 in Appendix). Significant changes in vacant land use occurred along the edges of the city, with newly vacant lots on the western edge of Staten Island and infill development in the South Bronx, College Point, and Greenpoint (see Map 1 in Appendix). These changes are also present in major redevelopments like the partially-completed Essex Crossing in the former Seward Park Extension Urban Renewal Area and those proposed in the Two Bridges Urban Renewal Area.

These redevelopments share many similarities, but the genesis and details of these two projects better explain the extraordinary circumstances in which residents and community organizations have been able or unable to participate in project development. Both developments are located in the Lower East Side, within a ten-minute walk from one another, and as such, GOLES and other local organizations are involved in both neighborhood developments. L+M Development Partners and SHoP Architects are both involved with sites in the Essex Crossing and Two Bridges

developments, as they are each involved in 260 South Street and 247 Cherry Street, respectively. However, while the developers and architects were bound by the requirements of the RFP and the plans of other partner developers in Essex Crossing, the two parties were not held to either constraint in their respective site plans in Two Bridges.

Outside of these similarities, the ownership of the land for these developments, the ways in which developers engaged with the public, and the overarching environment of real estate development pressure, are the driving factors in determining the ways that these projects were proposed and envisioned. In SPEURA, the land on which development had taken place was seized by the City in the 1960s, cleared, and lay waiting for development for decades. The City, therefore, acted as both the site owner and city government in the development discussions. The City was simultaneously the regulator, the beneficiary of rents from any development higher than the existing parking lots, the recipient of taxes from Essex Crossing and any resulting nearby development, and the facilitator of discussions between groups financially or locally invested in the development of the site. These multiple roles allowed the City to control the development timeline and manage development pressure by dictating the terms of development. In contrast, three separate parties were developing their individual parcels within TBURA without coordination, until the City grouped their separate applications into the same environmental review process. Here, the City held the more traditional roles of regulations enforcer and recipient of potential new property and income taxes, and was not the driver of discussions with community groups.

In addition, the direction and speed of development were highly influenced by different levels of pressure from financially powerful groups. SPEURA discussions benefited from the lack of City-driven and privately-driven development options during the recession, as well as an interest from the City to successfully develop the parcels after decades of vacancy. In contrast, TBURA was first proposed on the heels of the approval of SPEURA, and continues to benefit from a strong, competitive, and lucrative luxury real estate market. In this high-risk, fast-moving market, the TBURA projects continue to be under pressure to maximize profit to the owners and developers and generate a timely return on investment.

These varying pressures directly created the engagement methods used by those with power to include or exclude community input. In SPEURA, community groups reignited and drove discussions for the space through several visioning methods. These findings started monthly Community Board meetings to create guidelines for potential new development, and NYCEDC ultimately funded a facilitating planner to lead discussions and find opportunities for compromise between all community interest groups. It is unclear if the facilitating planner was hired out of genuine interest in financing a space for a community that had been disenfranchised from development in the past, or out of an interest to push the project forward to generate capital. Regardless, the facilitating planner was able to convene opposing groups that had never been in conversation with one another, and these conversations generated plans for usable space that garnered relatively strong community support. By holding regular, frequent meetings that actively worked to encourage compromise and integrate all interests, representative community groups were able to be involved in decision-making. While there were few meetings

to survey the public by more creative methods (Litvak, 2010a), the regular Community Board meetings were open to the public and community interest groups were eager to integrate community input into formal discussions on their behalf. Importantly, once the metrics were agreed upon by the Community Board, the City allowed the project to remain relatively unchanged as it passed through the formal land use approval frameworks (New York City Planning Commission, 2012). Since the project was not co-opted by more citywide or developer-driven interests in later stages of development review (see Figure 16), and instead relied on the same language approved in the community-driven compromise, the City allowed development to be created according to the community's interests.

In Two Bridges, however, there has been no discussion with residents outside of the two public hearings that were legally required during CEQR processes (see Figure 16). As a result, resident concerns about housing affordability and development impacts in influencing secondary displacement have not been included in the project, with no dialogue between developers and community groups. Community groups have turned to the courts in three separate lawsuits as a way to incorporate their concerns into the developers' site and mitigation plans.

To resolve this imbalance, New York-based researchers have advocated for increasing community involvement in the decision-making process. Some have advocated using URAs and other mechanisms to tie community land use goals to the land itself (Soomro, 2019). Others have advocated for more funding and better integration of neighborhood-specific comprehensive plans in development review processes (Widman, 2002). Still others have

advocated for a citywide comprehensive plan to more collaboratively direct the city's economic and development future (Wolf-Powers, 2005). In some Urban Renewal Areas across the city, developers have embraced community benefits agreements in order to announce community support of their projects, to varying levels of criticism by researchers (S. S. Fainstein, 2008; Morillo, 2006; Papageorgiou, 2016). Community collaboration could also be included in early approvals processes, before CEQR and ULURP formally begin. All proposals center on working within the current system to create smaller changes that allow for space at discussion tables for communities.

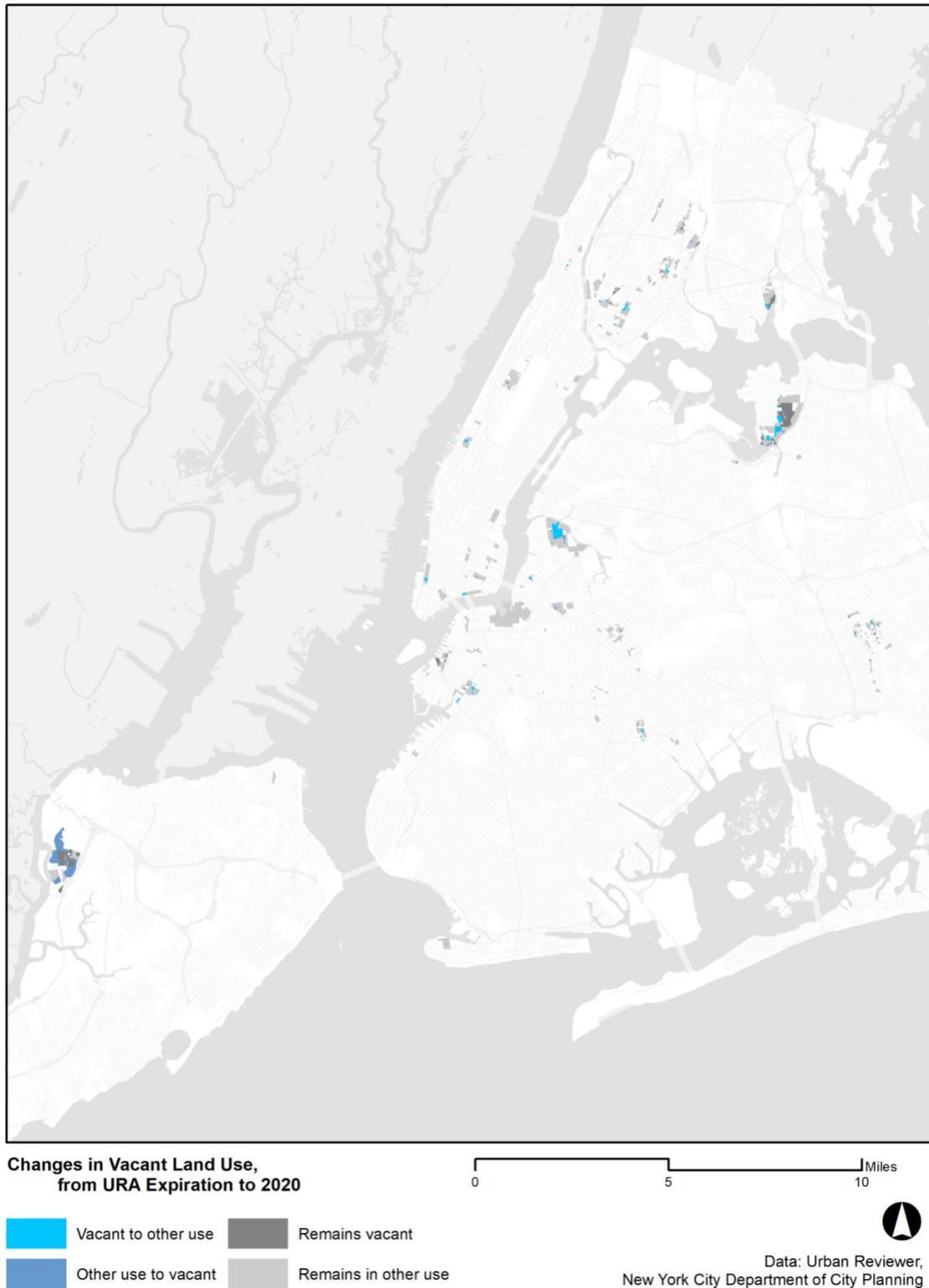
Changes are needed within the current system to allow for more inclusive development and to press for-profit developers to work within the communities in which they are building. Much of the new development in former URAs created more commercial space with decreases in residential space, even amidst a persistent housing crisis. Expired Urban Renewal Areas that have not yet experienced development may have projects in the proposal stages that have not been brought into the official City project development pipeline. Under the current system, proactive community boards and engaged community representatives remain the only means by which residents' concerns are integrated into the formal development process. Within the next ten years, 30 more Urban Renewal Areas will expire, opening up more potentially lucrative land prime for speculative, exclusive development.

The histories of the two developments indicate flaws in how current systems incorporate community input and the power of developers to direct the conversations around what is built.

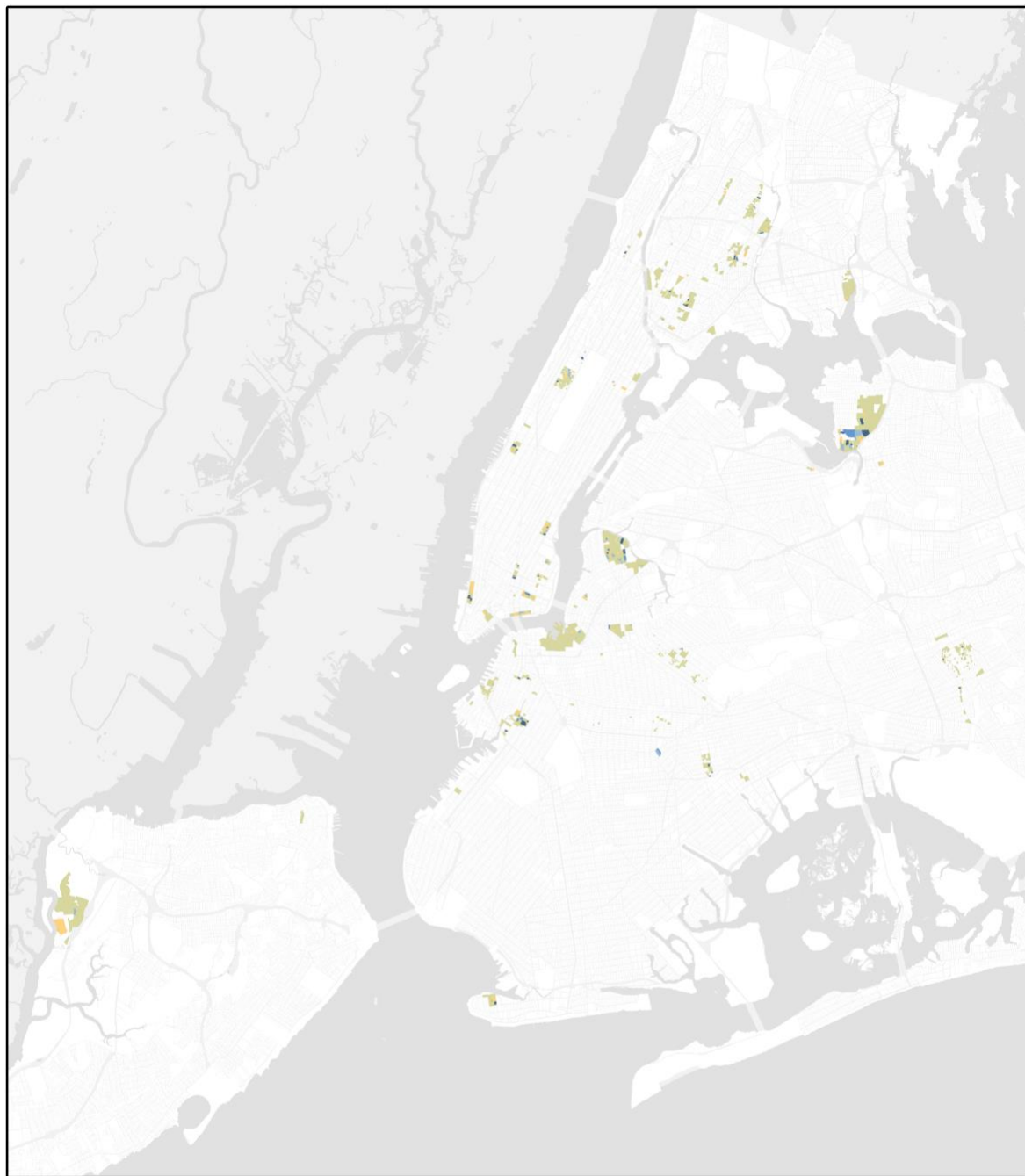
While land ownership is the sole qualification for a developer's decision-making power, residents and community groups that live and work nearby are only allowed to be included by the benevolence – and financial interest – of the developer. As a result, the power to make decisions that shape neighborhoods has become increasingly concentrated in the hands of a few private developers and capital funders (Harvey, 2008). City-building has again occurred as envisioned by developers and the City while excluding the impacted communities, effectively renewing urban renewal. While the City's regulatory processes allow review of the development from local representatives, those who review are elected or appointed by elected officials. Returning to Arnstein's ladder of meaningful participation (see Figure 1), political representatives should not be the sole stand-ins for community input, but part of a variety of individuals from the community or representing community interests. Collaboration and consensus building and collective decision-making are costly for those holding power, but these processes are necessary in order to restore trust in negotiation, integrate local knowledge of on-the-ground conditions, and give local residents more control in shaping their communities. Though the City is not an impartial third party but an active participant in city-building with its own interests, the City alone has the legislative power to create more space for urban social movements, and less space for financially-driven interests.

Appendix

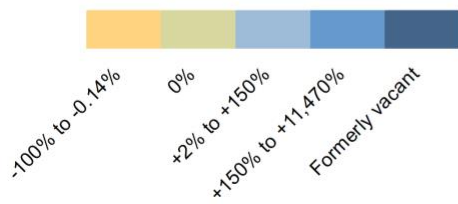
Map 1: Citywide Changes in Vacant Land Use, from URA Expiration to 2020



Map 2: Citywide Changes in Building Frontage Coverage, from URA Expiration to 2020

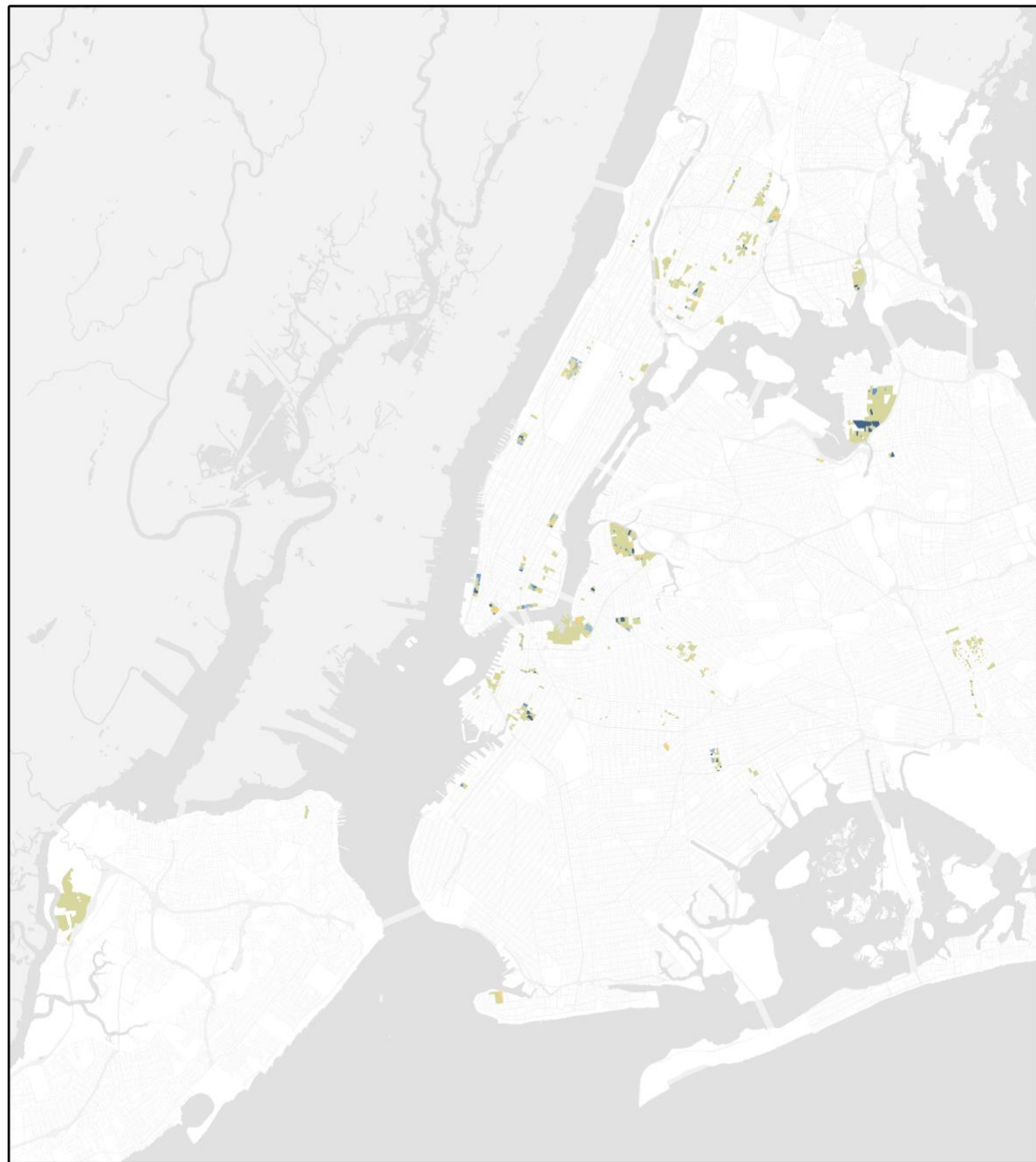


Changes in Building Frontage Coverage,
from URA Expiration to 2020

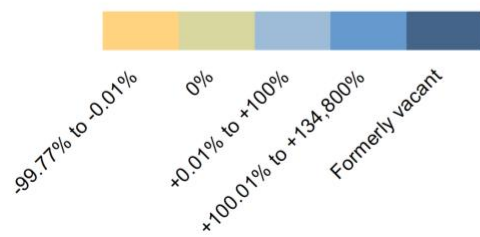


Data: Urban Reviewer,
New York City Department of City Planning

Map 3: Citywide Changes in Total Units, from URA Expiration to 2020

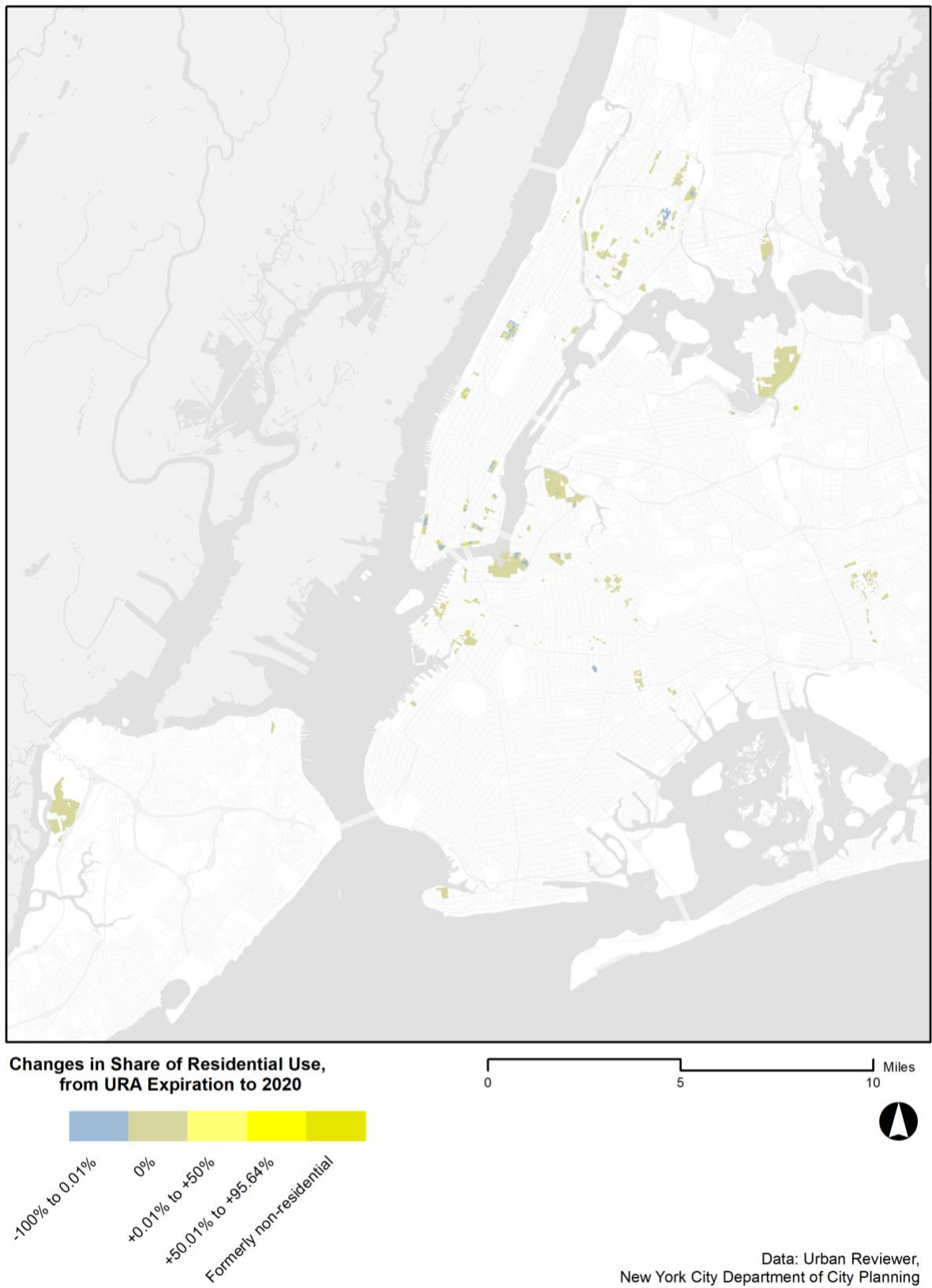


Changes in Total Units,
from URA Expiration to 2020

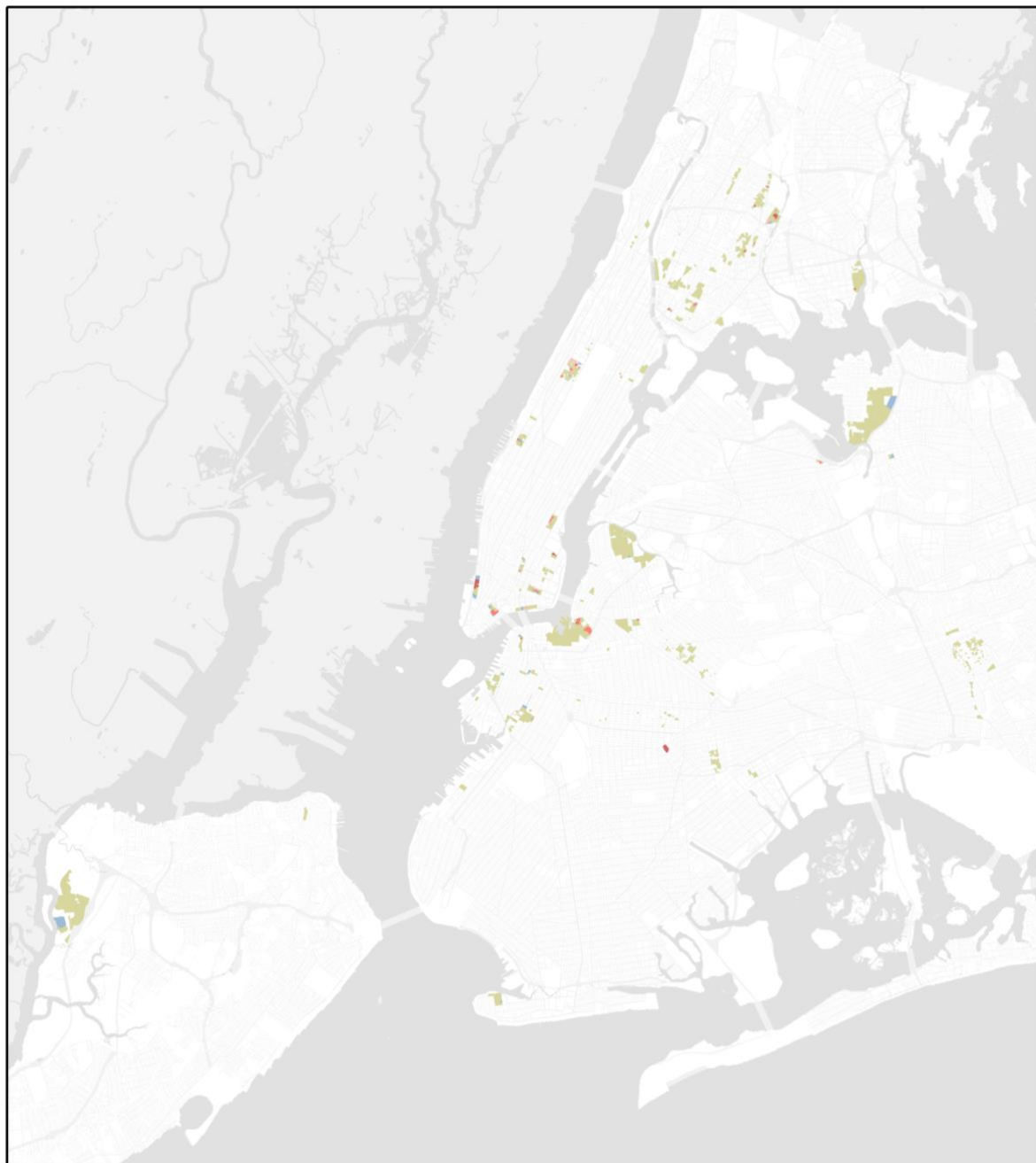


Data: Urban Reviewer,
New York City Department of City Planning

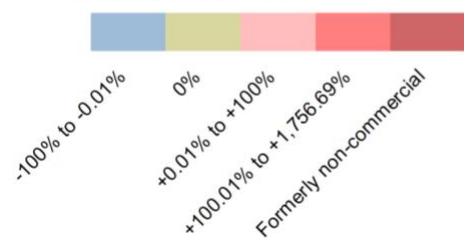
Map 4: Citywide Changes in Share of Residential Use, from URA Expiration to 2020



Map 5: Citywide Changes in Share of Residential Use, from URA Expiration to 2020



Changes in Share of Commercial Use,
from URA Expiration to 2020



Data: Urban Reviewer,
New York City Department of City Planning

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